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Tuskegee Institute

FOUNDED BY BOOKER T. WASHINGTON, 1881

OFFICE OF THE PRESIDENT

TUSKEGEE INSTITUTE, ALABAMA

December 27, 1943

For Release December 31, 1943

Dear Sir:

I send you the following information concerning lynchings for the year 1943. I find, according to the information compiled in the Department of Records and Research, there were 3 persons lynched in 1943. This is 2 less than the number 5 for the year 1942, 1 less than the number 4 for the year 1941, and 2 less than the number 5 for 1940. One of the persons lynched was beaten and clubbed to death by a sheriff and other police officers; 1 was taken from a jail and shot to death by a mob of 4 masked men; and 1, a soldier, was shot to death by a mob of farmers as he tried to escape from a farm house.

All persons lynched were Negroes. The offenses charged were: Resisting arrest, 1; killing white man in a robbery attempt, 1; insulting white women over telephone, 1.

The states in which the lynchings occurred and the number in each state are as follows: Florida, 1; Georgia, 1; and Illinois, 1.

There were 9 reports of instances in which officers of the law in 6 southern states acted to prevent lynchings, and 1 report of an instance in which white and colored passengers on a train in New Jersey restrained a mob of sailors. In 1 case, police rescued a person from a mob and placed him in jail; in 2 cases, police officers prevented the mobs from entering the jail; in 6 cases, the police augmented the guards or removed the prisoners to other jails. A total of 11 persons--1 white man (a chief of police), 9 Negro men, and 1 Negro woman--were thus saved from mob violence by the action of police officers and train passengers.

Very truly yours,

F. D. Patterson

F. D. PATTERSON
President

1943

NAME	RACE	CITY	COUNTY	STATE	DATE
Cellos Harrison	N	Mariana	Jackson	Florida	6-?-43
Robert Hall	N	Newton	Baker	Georgia	6-29-43 or 6-30-43
Unnamed Soldier	N	Lewistown	Fulton	Illinois	11-?-43

7015

NAACP Describes Alabama's Willie Lee Case As Lynching

Journal and Guide Norfolk, Virginia

BIRMINGHAM, Ala.—(ANP)—Circumstances surrounding the the mysterious death of Willie Lee Cooper on August 9 at Beatrice, Ala., fit all the definitions of a lynching, the Birmingham branch NAACP charged last week in a request that state and federal authorities make a searching investigation of the case.

Officials of the local branch charged that Cooper, a garage mechanic, employed by Edward and Wilbert Owens, white, of Monroeville, Va., one of whom is a deputy sheriff, left his job without notice, was hunted down by the two Owens' brothers aided by Sheriff Nichols of Monroe County, and that when Owens found Cooper he took him away in an automobile.

Later, the report says, the Owens brothers and a Dr. Eddins turned up at the home of a Bill Stallworth and asked him to fix a bed for Willie Lee, saying that he had been hurt. Finding accommodations unavailable, the report of the branch says, Cooper was carried to a hospital in Repton, Ala.

The NAACP report said that "Dr. Carter said, according to the statement made by the doctor in charge of the hospital, the three men brought Cooper to the hospital about 11 o'clock that night, with head and face badly bruised, arm broken, and body beaten into a pupl."

AFRAID TO TELL

The doctor revealed that upon asking Cooper how he got hurt, he was told by the fatally wounded man, "I am afraid to tell, they will beat me again if I tell."

Winning the beaten man's confidence, the report says, Dr. Carter was told that he had been beaten. He died about eight o'clock the next morning.

The victim, according to the report, was denied embalming ser[illegible] Monroeville. No certificate of death showing cause was issued, the NAACP officials learned. Cooper was muried unceremoniously on August 11.

NAACP CLAIMS MAN LYNCHED IN ALABAMA

Bee (Magazine Section

BIRMINGHAM, Sept. 16—(ANP) — Circumstances surrounding the mysterious death of Willie Lee Cooper on Aug. 9 at Beatrice, Ala., fit all the definitions of a lynching, the Birmingham branch N. A. A. C. P. charged Wednesday in a request that state and federal authorities make a searching investigation of the case.

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Chicago, Ill.

Tells of Beating

The doctor revealed that upon asking Cooper how he got hurt, he was told by the fatally wounded man, "I am afraid to tell, they will beat me again if I tell." Winning the beaten man's confidence, the report says, Dr. Carter was told that he had been beaten. He died about eight o'clock the next morning.

Bill Cooper, father of the slain man, came to see his son, stopping at the Owens garage, the report says, where he was told that his son was injured and was doing fine in the hospital, when a telephone call telling of the death of Willie Lee interrupted the conversation.

The victim, according to the report, was denied embalming service at Monroeville. No certificate of death showing cause was issued, the NAACP officials learned. Cooper was buried unceremoniously on Aug[illegible]

Personal property in Cooper's possession when he left home with the Owens brothers including his clothing, social security card, gas ration book and money totaling $112 have not been account for, the report said.

Ala. Workman 'Lynched' After Quitting Job

Afro-American

BIRMINGHAM, Ala. — (ANP) —A searching investigation of the mysterious death of Willie Lee Cooper of Beatrice, Ala., on August [illegible] was asked of State and Federal authorities Wednesday by the NAACP Baltimore, Md. The association charged that Cooper's death, attributed to a severe beating after he left his job as a garage mechanic in Monroeville without notice, fit all the definitions of a lynching.

Cooper was employed by Edward and Wilbert Owens, white, one of whom is deputy sheriff. He was allegedly hunted down by the Owens brothers and Sheriff Nichols of Monroe County.

Left Victim at Hospital

The Owens brothers and a Dr. Eddings are said to have taken Cooper to a hospital in Repton, about 11 p.m. on August 8, with his head and face badly bruised, an arm broken, and his body beaten almost into a pulp.

They had previously sought to place him in a private home for treatment, according to the NAACP reports. The victim died about 8 o'clock the next morning.

Cooper is said to have told hospital attendants that he had been beaten, after expressing fear that he would be further abused if he told how he was injured.

Columbia, S.C., Record
June 17, 1943

Murder In Florida

Florida has contributed another lynching to the year's records in the slaying of Cello Harrison, 31-year-old Negro, by four masked men early Wednesday.

Harrison, charged with killing a white man, was taken from the Marianna, Fla., jail after midnight Wednesday morning. Later he was found clubbed to death five miles south of Marianna. The four men, according to night Jailer Tom Belser, appeared at the jail shortly after midnight and told him they had a drunk they wanted locked up. When Belser opened the jail door the men held a pistol on Belser while the [illegible] Harrison from his cell.

According to Belser the four men were masked. He doesn't explain why he opened the jail to four masked men thinking they wanted to lock up a drunk who wasn't with them. And it requires a little explaining.

Like every other lynching, this one could have been prevented by the officers if they had been prepared to resist. A four-man mob is too small to take over government, even in Marianna, Fla.

3-1-35

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37a-1943
Peoples Voice
New York, N. Y

GEORGIA

Georgia Is Number One On 1943's 'Lynch' Parade; Victim Stole Tire

FEB 13 1943

ALBANY, Ga.—Robert Hall, young mechanic of Newton, Ga., near here, became Number One on the 1943 Lynch Parade when he was beaten to death by police on Jan. 29, it was revealed this week. The mob murder swung the Peach State back into the lynch column after a two years' lapse. Hall met his death after being arrested, forced from his bed and taken from his home on a police warrant charging him with theft of an auto tire.

FEB 13 1943

Last Friday, a week after Hall's death, proof that the police warrant was a fake was unearthed. John C. Derm, owner of the truck from which the tire was allegedly stolen, revealed that there had been no such theft. His brother, George C. Derm, corroborating the statement, joined in the denial that either of them had signed a police warrant.

Hall was buried Wednesday, Feb. 3, in his home town. His brother, Pvt. Howard Hall, on leave from camp, the victim's wife, child, father, mother, three sisters and three other brothers, survive.

The body was badly mutilated, bore 21 abrasions, contusions and deep cuts. The back of the head was so badly beaten it was described as "sort as a ripe tomato."

Hall met his death in a hospital here early in the morning of Jan. 30. He had been rushed here by ambulance responding to a call from Newton. The call, reported to have been sent by Sheriff Claude Screws of Baker county, is said to have been received by employees of a local funeral home. The original message is related as having urged that an ambulance come and "get a nigger I had to beat up."

On arrival at the hospital, Hall's body, in addition to the conditions described above, was said to have been covered with dirt as if he had been dragged some distance behind a car. His clothes were ripped to shreds.

Ambulance attendants who picked up the victim at the Baker County jail said he was in that condition when they got him. The jailer, they said, told them Hall had been brought there like that, had not been touched since arriving there.

FEB 13 1943

Hall was placed under arrest in the middle of the night at his home by Sheriff Screws and Policeman Frank Jones.

Several white Baker county residents for whom Hall had done work regularly, revealed that Sheriff Screws had shown anger toward the mechanic when the latter appeared before the grand jury recently to recover a pistol removed from the pocket of his car by the sheriff.

FEB 13 1943

No charges in connection with the incident have been preferred as yet. Sheriff Screws, however, was absent from duty for several days after the incident.

When he returned last Wednesday, Feb. 3, reports were spread that he is under the care of a physician. He is suffering, the reports said, from a "nervous breakdown."

EDITORIAL

The lynching of Robert Hall —and all evidence indicates that it can be little else—would probably not have taken place if the anti-lynch bill had passed. The bill would have made the law officers responsible for Hall's safety.

The revealed circumstances of this tragedy, however, leave little if any problem in fixing guilt. The identity of the "mob" in this mob murder is pretty clearly established.

This time, for the murderers, there can be no "safety in numbers." Let's hope there won't be any safety in Southern "tradition."—STB.

Daily World
Atlanta, Ga.

FEB 13 1943

Citizens Aroused Over Lynching Of Robert Hall

Sheriff Screws Claims Self-Defense In Death Of Robert Hall; Many Questions Left Unexplained

NEWTON, Ga. (ANS) — The body of Robert Hall, widely known in Newton and Baker county as a skilled mechanic, was dragged over rough ground behind an automobile.

The back of his head had been beaten so badly, it was described as being "soft as a ripe tomato."

Furthermore, the sheriff made no attempt to explain why he sought to arrest Hall so late in the night when he was in town daily.

When his deputies brought Hall into town, the sheriff claimed that he was at the public well getting a drink of water, and the deputies stopped. It was there that Hall told to get out of the car, the sheriff said. When the victim stepped out of the car, he brought along a shotgun which the deputies had left on the seat.

FEB 13 1943

In his claim of self defense, Sheriff Screws told an involved story about how Hall, though under arrest, had attempted to shoot him with a shotgun and had cursed him.

The sheriff said he knocked the barrel of the shotgun up and it was discharged in the air.

After the gun was fired, the sheriff said, "I went to work on him with my fists, and one of my deputies struck him with a blackjack. That's all."

This statement did not add up to the condition in which Hall was found when the sheriff put in a

Norfolk, Virginia

ALBANY, Ga.—At last reports, no charges of homicide had been filed against Claude Screws, who arrested Robert Hall on January 29 and later turned over his battered body in Newton, Ga., to attendants of an Albany Funeral Home. Hall died a few minutes after admission to the Phoebe Putney Memorial Hospital.

The body bore twenty-one contusions and abrasions, there were deep cuts in his wrists as if they had been tied together with wire, the sheriff of Baker County had ever sworn out a warrant and his clothes gave mute evidence that he had been dragged over rough ground behind an automobile.

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Furthermore, the sheriff made no attempt to explain why he sought to arrest Hall so late in the night when he was in town daily.

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Sheriff Screws, after several days absence, returned to Newton the day of the funeral, February 5, and was reported under the care of a physician, suffering from a nervous breakdown.

The sheriff, accompanied by a second policeman, Frank Jones, made a midnight arrest of Hall on a warrant charging him with the theft of a tire from a truck owned by John C. Derm.

Last week a press report quoted Derm as denying that he had sworn out any warrant against Hall or that any tires had been removed from his truck. These claims were repeated, according to the report, by George C. Derm, his brother.

Hall, who is the father of a young son, is well known in Baker County, and did mechani-

FEB 13 1943

Owner and Guide
Denies He Swore Out Warrant

Truck

Journal

7011

cal work on tractors and trucks for white and colored farmers in the area. He was reputed to be an expert mechanic.

POSSIBLE MOTIVE

A possible motive behind the mysterious attack, according to the same press report, was supplied by several white residents of the county who stated that Hall had appeared before the grand jury recently seeking to recover a pistol he claimed the sheriff had removed from his automobile.

Besides his son, the dead man is survived by his widow, parents, three sisters, and four brothers. One brother, Pvt. Howard Hall, was given leave from a United States Army camp to attend the services.

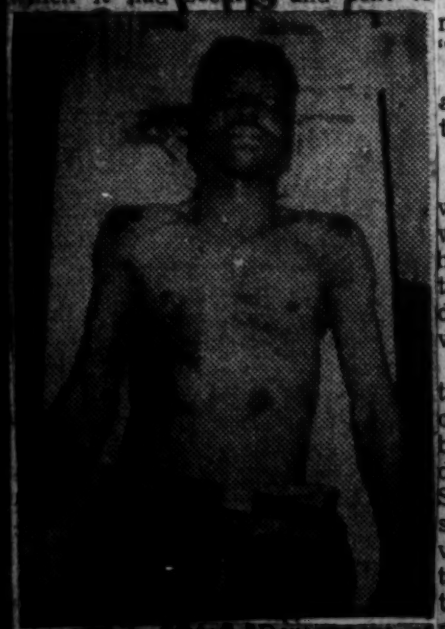
Lynching Informer Is Blamed On Sheriff

Houston Informer

Feb. 27, 1943

New York, N. Y.—The arrest and prosecution on charge of murder of Sheriff Claude Screws and Night Policeman Frank Jones for the lynching of Robert Hall at Newton, Georgia, January 29 was demanded this week by the National Association for the Advancement of Colored People in a letter to Governor Ellis Arnall. Arnall was asked to remove Screws from office pending action against him.

The NAACP stated that affidavits which it had secured and sent to



United States Department of

Justice immediately after the lynching named Screws and Jones as the persons last seen with Hall before his death.

The NAACP had supplied the Department of Justice with pictures of Hall's body as it appeared when received by the undertaker. The lynch victim's body bore twenty-one abrasions, his skull had been beaten until soft, and his wrists deeply cut.

"We are certain," the NAACP said, "that the State of Georgia under your administration does not intend that a citizen, no matter how humble, shall be snatched from his home at midnight without a warrant (and in this case, without even an oral charge of any serious crime) and murdered while in the custody of peace officers.

Called at Home

"All reports point to the fact that Screws and Jones called for Hall at his home at midnight, handcuffed him and took him away, presumably to jail. The next information comes from a hospital which declares that it received a telephone call from Sheriff Screws ordering the removal of Hall from the jail to the hospital."

Asks Indictment In Hall Lynching

Amsterdam Star-News

New York, N. Y.

Feb. 27, 1943

Victim's Father Accuses Sheriff In Brutual Georgia Killing; Outrage Stirs Citizens

NEWTON, Ga. (ANP)—The brutal lynching of Robert Hall, Jan. 30, has caused the community to anticipate action by the grand jury against Sheriff Claude Screws and policeman Frank Jones and another deputy, whose activities resulted in the young mechanic's violent death.

On Thursday, Sheriff Screws sensing the temper of the community, stated that Hall's death was the result of "injuries" he was "forced to inflict" after the victim had "resisted arrest."

Relatives say that Sheriff Screws came to Hall's residence long after Hall had retired and served a "warrant" charging him with the theft of a truck tire.

Tire Theft Denied

It was later found that the white owner of the truck from which the tire was supposed to have been stolen, flatly stated that no tire had been stolen and denied having ever sworn out a warrant for Hall.

When Hall was brought into town, the sheriff claims that when ordered to get out of the car Hall brought along a shotgun which deputies had left on the seat. Sheriff Screws claims that he shot Hall in self defense after the victim cursed him and attempted to shoot him. The sheriff said that he knocked the barrel of the shotgun up and it was discharged in the air.

"I went to work on him with my fists, and one of my deputies struck him with a Blackjack. That's all," said Screws.

Body Was Dragged

The sheriff is said to have sent for an ambulance. Hall died a few minutes after his admission to the hospital. The body bore 21 contussions and abrasions. His clothes showed evidence of having been dragged over rough ground behind an automobile.

The victim's father, Howard, a well-to-do land owner, indicated that he planned to press for indictment of Screws by the grand jury.

According to observers, Screws' motive for attacking Hall grew out of the latter's appearance before the same grand jury seeking to recover a pistol which had been removed by the sheriff from the pocket of his car.

Ga. Youth Kidnapped, Brutally Beaten By Sheriff In First Lynching Of 1943

Chicago Defender

Chicago, Illinois

FEB 13 1943

ALBANY, Ga. — (ANP) — After an absence of two years the state of Georgia swung back into the lynch column, earning with the brutal beating to death of youthful Robert Hall, the dubious distinction of providing the first illegal execution of 1943, it was learned this week.

Behind the death of Hall was a story of white hot hatred, the misuse of police authority, the forging of a warrant, a midnight abduction and a fiction-like conspiracy to take the life of a human being, that is so often told in the south.

Hall was arrested Friday, Jan. 29, after he had been forced out of bed on automobile theft charges in a fake warrant served by Sheriff Claude Screws of Baker county, accompanied by Policeman Frank Jones.

Deny Theft

Positive proof that the warrant was a fake came to light this week with the testimony of John C. Derm, owner of the truck from which the tire was allegedly stolen, that no tire had been removed from the vehicle and that he had preferred no charges against young Hall. Derm's testimony was corroborated by his brother, George C. Derm, both of whom denied that they had signed any warrant.

Placed under arrest after the midnight visit by the minions of the law, Hall was at first thought to have been lodged in the Baker county jail.

FEB 13 1943

It was not until 2:30 o'clock Saturday morning, January 30, that what had really happened to Hall came to light. It was at that hour that employes of the Albany funeral home received an ambulance call to come to Newton, Ga., about 15 miles away and get a "nigger I had to beat up."

The call relayed from a hospital in Albany was reported to have been sent by Sheriff Screws. The ambulance attendants got the badly battered and bruised man from the jail, where the jailer asserted that he had not been touched since his arrival. He said the victim was brought to the jail in the condition in which he was found.

Hall, rushed to an Albany hospital died a few minutes after he had been admitted.

The body bore 21 abrasions and contusions, and deep cuts in the wrists, lending observers to believe that he had been tied behind an automobile and dragged over rough ground.

The back of his head had been beaten so badly it was described as being as "soft as ripe tomato." The clothes were torn to shreds and the entire body was covered with dirt, further evidence that he had been dragged behind a speeding car.

FEB 13 1943

Motive for the attack was supplied by several white Baker county residents after they had viewed the youth's remains. Sheriff Screws, it was disclosed, had become angry with Hall after the lynch victim had appeared before the grand jury seeking to recover a pistol which had been removed from the pocket of his car by Sheriff Screws.

FEB 13 1943

An expert mechanic, Hall enjoyed the respect of both races of citizens in Baker county. He helped repair all of the tractors and farm implements in this section.

At the funeral was his brother, Pvt. Howard Hall, who obtained leave from the army to attend. His father, a farmer and land-owner, sat grief-stricken throughout the services held Wednesday, Feb. 3.

Besides his parents, the victim is survived by his widow, a young son, three sisters and four brothers, all of whom reside in Baker county.

Thus far no charges have been filed against Sheriff Screws, who for several days was strangely absent from the community. Returning Wednesday, he was placed under the care of a physician and reports have been spread that he is suffering with a "nervous breakdown."

3-7-46

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Soldier Lynched At Camp Ellis By Farm Posse

Defender
Chicago, Ill
NOV 13 1943

LEWISTOWN, Ill.—A veil of mystery was drawn around the lynching of a Negro soldier from Camp Ellis by a posse of white farmers here Sunday night around midnight.

Military authorities early in the week refused to give the name of the soldier who was shot and killed by the mob of farmers but cleared the victim of a rape accusation by a farmer's wife.

Jesse Protard, chief deputy sheriff of Fulton county, admitted that he had the names of at least four farmers in the posse but on Tuesday still refused to make any arrests.

Background of the lynching was a strange series of attempted rape and a series of mysterious phone calls to women in farm homes near the military reservation which has about 40,000 soldiers.

Killed With Shotgun

The unnamed soldier victim of the mob was allegedly caught by the group making telephone calls from a white farmer's home during the owner's absence. Members of the posse claimed they called to him to come out but instead he blew out the lamp and stepped onto the porch with a club which he threw at the group.

One of the mob then fired a shotgun, according to a member of the posse. The Negro soldier died about 15 minutes later.

The victim was supposed to have been in the home of George Quigley, whose wife was reported the victim of a rape attack by a Negro soldier on Thursday of last week. The house adjoins the military camp.

Can't Identify Soldier

Since then the Quigleys allegedly were not at home, and moved to Quigley's father's farm several miles away.

Following the rape, Mrs. Quigley looked at several hundred soldiers at the camp and failed to identify the man who was reported to have entered the house and held a gun on Mr. Quigley while he raped his wife.

Sunday night, it was said, several farm women received insulting telephone calls on the rural party line. These were traced to the Quigley house and a posse formed to go after the man who is supposed to have invaded the house in the absence of the family.

The public relations office at Camp Ellis refused to make public details of the shooting, although it was said officially that a Negro soldier had been killed. Residents in the vicinity of the camp said military authorities had warned them not to talk about the shooting.

Dr. Mark S. Nelson, coroner of Fulton county, said Maj. H. R. Miller, medical officer at Camp Ellis, had asked him to go to the camp to hold an inquest.

Refuses to Go to Camp

He said he refused to do this, taking the position the inquest should be held in Lewistown because the shooting took place off the military reservation.

Dr. Nelson said he gave military authorities permission to conduct a post mortem examination, however, and that the question of where and when an inquest will be held remains undecided. He said Major Miller informed him the Negro killed was not the Negro who raped Mrs. Quigley.

An investigation is being started by State's Attorney Lachian Crissey and Deputy Sheriff Jack Lindeen.

SHUBUTA BRIDGE: SIX MONTHS AFTER

Chicago Defender
Chicago, Illinois

Ignorance And War Hysteria Found Underlying Causes Of 2 Lynchings

MAR 13 1943

For obvious reasons, only names absolutely vital to this report are mentioned in this sensational story, second of a series by Enoc P. Waters, ace Chicago Defender reporter, who visited Shubuta, Miss., to investigate last October's lynching of two youths. Because it is not exactly healthy for Negro reporters to be known in Shubuta, Waters talked to no whites in gathering his information. This report, he assures, us, is as accurate as conditions allow.

By ENOC P. WATERS
(Defender Staff Correspondent)

SHUBUTA, Miss.—Many of the Negroes living in this fear-ridden town believe that two youthful victims of a lynch mob last October were victims of war hysteria.

Charles Lang and Ernest Green were lynched not for what they had done, but rather as a warning to other Negroes that the whites are still in control of the town.

This seems quite likely when some of the vital statistics of this community are studied.

With a smaller population, more whites had been drafted into the army because the pattern of the United States army required that only one Negro be drafted for every 10 whites. In addition the educational facilities for the Negro in Shubuta have been so poor that even some of the Negroes drafted had to be returned to civilian life.

Prosperity

This, of course, caused much complaining and grumbling among whites, too ignorant to see anything except that the white boys were being sent to war and the Negroes spared.

Another contributing factor was the recent prosperity of many Negro families here.

Shubuta Negroes are among the most successful economically of any in the county. This, of course, does not mean they are rich or even have adequate for their needs. Their prosperity is relative.

For the most part they are either independent farmers, owning or renting their land, or sawmill workers. In both cases their income is greatly in excess of that of Negroes living on the plantations of the county where they are in practical bondage to white landowners who are indifferent to everything except their ability to work.

Leave for War Jobs

There is also domestic work for the women in Shubuta, and between father working in the sawmill or the fields and the mother in the home of a white person, it is estimated the family has an income of from $40 to $60 per month. Many are the whites in Clarke county who would regard such an income as great wealth.

Of late, however, there has been a disposition on the part of many of the men to leave Shubuta and go to Gulfport, Mobile and Meridian where defense and government work is offering much larger salaries.

They leave their families behind, and send them enough money to enable their wives to give up their domestic jobs and devote themselves to their homes and children.

With Negro women spending more money, and refusing jobs in the kitchens of whites, the impression quickly got about that Negroes were getting "uppity" and "out of their place."

Social Shuffling

Also at work setting the scene for the lynching of the two boys was the growing realization on the part of the whites that in the offing is a shuffling of the social structure that will probably result in the Negro assuming more money and perhaps more elevated station in the community.

To the ignorant provincial minds of the whites in Shubuta — and elsewhere too — this constituted a threat to white supremacy which they met in the only way they knew how: "frightening the niggers by lynching a coupla kids," in the words attributed to a white Shubuta businessman.

Those who participated in the lynching may not have been aware of these factors but often men are impelled by motives of which they are not conscious.

However, it is hard to believe that these men could have conscientiously felt that Charles Lang and Ernest Green were such vicious and dangerous characters that any means of ridding the community of them was justifiable.

Whites Brood

It is significant that the lynching was not an act of impulse. Several days elapsed between the time they turned the youths over to the sheriff and the actual hanging.

In the interim the whites brooded over the effrontery of the boys, and then they began to talk about other unusual things "niggers" are doing these days: refusing to work in our homes, going off and getting jobs, spending more money, walking the street while our boys are forfeiting their lives on the battlefront.

"Dammit," I can imagine one of them saying, "it's time we put a stop to this and the best time to start is right now. Imagine those blankety, blank, blank brats bothering that Martin girl."

So their growing hatred of this "different" Negro was visited upon two adolescent innocents.

Panic for a While

The lynching has had but little effect upon the community. Because Gov. Paul Johnson condemned the lynching, sent his state troopers and investigators into the area and welcomed a probe of the situation by the FBI, there was a short-lived era of panic.

Martin, who was the accuser of the boys, and his family fled the town by night. The youth who drove the truck bearing the bodies of the youngsters disappeared. Many of the white men grew grim and pasty-white with fear, but were afraid to flee.

In December, Deputy Sheriff McClinton was stricken and in a delirium, perhaps partially induced by fear of the consequences of his participation in the orgy, is reported to have cried out, "For God's sake take Charlie and Ernest off of me," and then breathlessly blabbered out a confession of his part in the crime, naming many names.

According to reports, a physician, Dr. Albert Hand, and a Negro woman working in the house who might have overheard it, were pledged to secrecy.

Negro Turncoats

The story might be true, because it's a fact that McClinton is dead. It is also not unlikely that the woman, known as Miss Mag, is harboring in her bosom the information which would bring the boys' killers to justice.

For even Shubuta has that despicable type of Negro willing to make any sacrifice of other Negroes to win the doubtful favor of whites. A Negro working for the white undertaker in town and who reportedly was the person who buried the youths is charged by the community with having said that the boys were bad and should have been lynched. Miss Mag, they say, is the same type person.

The reaction of Negroes in Shubuta to the lynchings took the form of complaining to each other about "what a shame it was" and "I hope God will visit his wrath upon them for doing to those boys."

For some parents kept their children close to them, wouldn't tolerate them out of sight. But as the atrocity became more and more a part of the past, their indignation and their precautions relax. I saw them walking up and down both sides of the main street, and the children playing happily about — in some cases with white children.

No Cohesiveness

The Negro community has no cohesiveness so no effort was made to harness this indignation. With but rare exceptions, the church is a one-day institution. I was surprised to learn that not one of the ministers of the four Negro churches — two Baptists, one Methodist and one Sanctified — lives in the community.

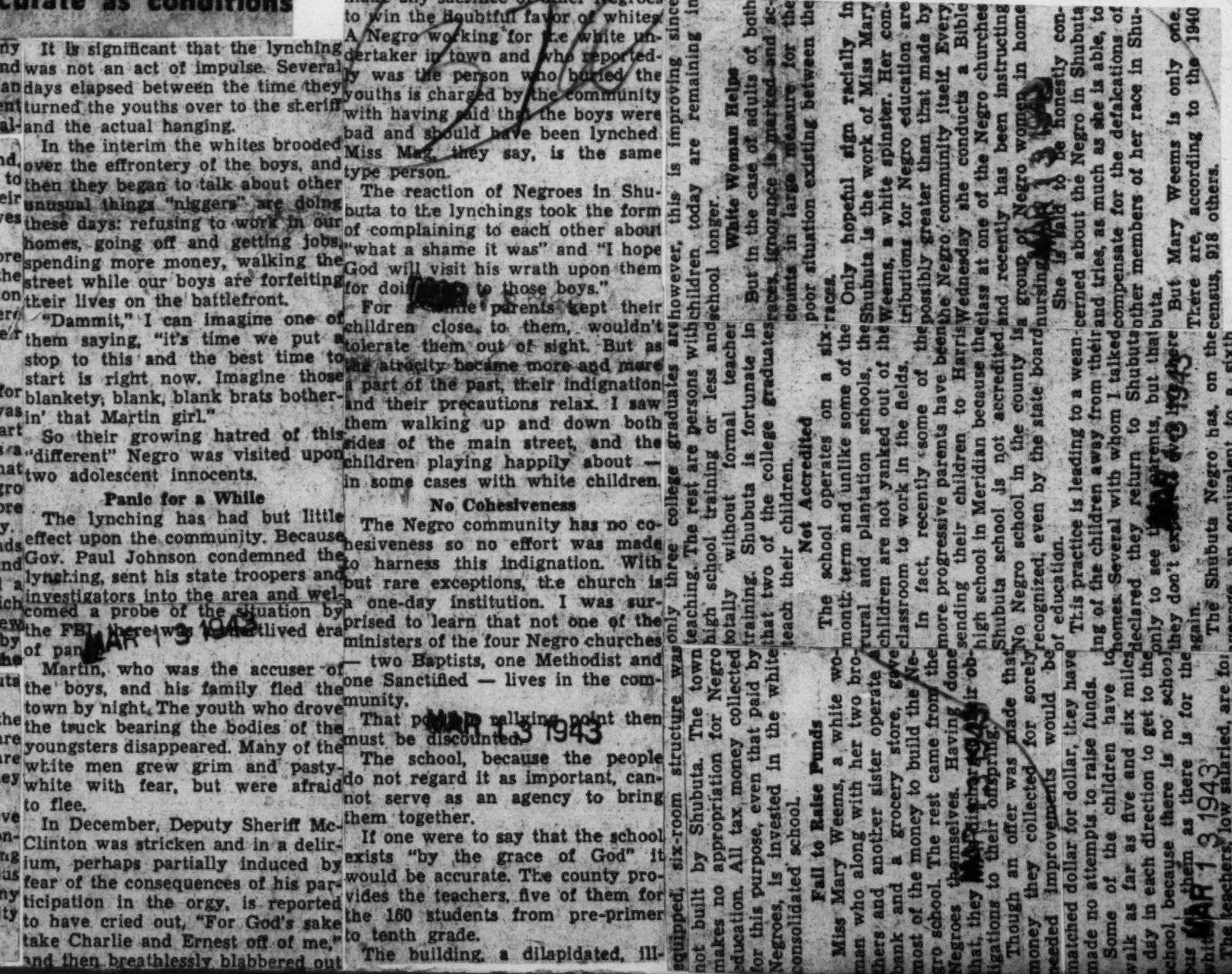
That point of rallying point then must be discounted.

The school, because the people do not regard it as important, cannot serve as an agency to bring them together.

If one were to say that the school exists "by the grace of God" it would be accurate. The county provides the teachers, five of them for the 160 students from pre-primer to tenth grade.

The building, a dilapidated, ill-

MAR 13 1943



The Worker
New York, N. Y.

7010

MAY 9 1943

LYNCHED IN MISSISSIPPI—These are the bodies of Charles Lang (left) and Ernest Green, 14-year-old boys lynched near Shabuta, Miss., Sunday, Oct. 18, 1942, after the boys had been taken from the Quitman jail.

7002
7012

SHUBUTA BRIDGE: SIX MONTHS AFTER

Chicago Defender
Chicago, Illinois

Two Lynched Boys Were Ace Scrap

MAR 6 1943

Iron Collectors In Mississippi Town

MAR 6 1943

By ENOC P. WATERS
(Defender Staff Correspondent)

For obvious reasons, only names absolutely vital to this report are mentioned in this sensational story by Enoc P. Waters, ace Chicago Defender reporter, who visited Shubuta, Miss., to investigate last October's lynching of two youths. Because it is not exactly healthy for Negro reporters to be known in Shubuta, Waters talked to no whites in gathering his information. This report, he assures us, is as accurate as conditions allow.

SHUBUTA, Miss. — Shubuta, the worst town in the worst state in the union — that's how it's referred to by many Mississippi persons with whom I talked.

In October of last year two 14-year-old boys, as innocent of the crime of which they were charged as new-born babes, were unceremoniously hanged from a bridge which crosses the Chickasawhay river, a mile south of this town on the old road.

About 20 years ago, four Negroes —two pregnant women, their husbands and, according to some reports, two children—were lynched by a mob of ignorant, sadistic whites at the same site after their white landlord was found shot to death.

It is a small, provincial settlement of 918 poor unlettered whites who feel that by virtue of their whiteness, they are supreme beings and who attempt to maintain that supremacy by rope and faggot.

It is a small provincial town of 1,197 underprivileged, persecuted Negroes who are denied all the fundamental rights and privileges of American citizens—even the right to live, as brutally demonstrated by the eight shameful lynchings.

MAR 6 1943

Cabby Is Afraid

Such is its reputation, that when I approached a cab driver in Meridian about driving there, he said, "No sir, I'd just as soon go to hell as go there."

MAR 6 1943

But I was able to find a man to drive there, and though his opinion of the place was no better than that of the cab driver, he drove us there because "it's my business to take people where they want to go."

Shubuta is on U. S. Highway 45, some 38 miles south of Meridian in Clarke county, Miss. Unless you are looking for it, you will drive straight through the town without knowing it.

MAR 6 1943

Only indication of the existence of Shubuta is a broad paved street, lined on either side with stores and shops running the distance of a good city block at the left and at right angle to the highway.

Impressive Lynch Record

Otherwise, it is a small group of homes which subsist on a sawmill or two, and the trade of farmers in the sparsely populated sections of the county who come to ship their products and purchase supplies.

MAR 6 1943

Its only distinction from the other minute settlements of the same type scattered throughout the rural counties of Mississippi is its impressive lynch record.

Before gas and tire rationing circumscribed the movement of the people, a representative portion of its population gravitated toward Meridian, 38 miles to the north, every Saturday to trade at the larger stores, window shop along the busy business thoroughfares, attend a movie and enjoy a bottle of cold beer.

MAR 6 1943

Its remaining inhabitants collect in groups along the business street or at shops and homes, talk small talk about the weather, crops or work, listen to the radio and entertain themselves in simple fashion.

Spark of Lynching

Its white and Negro citizens live pretty much to themselves, contact being reduced to the bare minimum necessary to carry on the business of living.

MAR 6 1943

And peace prevails between the two races except on occasions like last October when a Negro, like Buddie Smith, differed with Ernest Martin, white operator of a general store. Martin with ax handle or fists tried to prove that the figures on his book didn't lie.

Such an incident occurred the Saturday before Charles Lang and Ernest Green were lynched. Smith didn't strike back at the white man, for that's a crime calling for lynching in Shubuta. He just took Martin's club from him and held him off. But two other whites joined in the fray and when Deputy Sheriff Ed McClinton arrived on the scene, he promptly placed the Negro under arrest.

Otherwise there's been peace between the two races, so long as the Negro recognized his place and stayed in it.

Why It Happened

I didn't go to Shubuta to get the story of the lynching of the Green and Lang boys, for that happened in October of last year and is no longer news.

But I was interested in why it happened. What forces were at work in the community which resulted in such a display of disrespect for law and what effect did the atrocity have on the people, white and colored, and their relationship to each other.

MAR 6 1943

The two boys were pals, and each more or less, especially Charles Lang, was left to shift for himself. Neither had a fondness for school or for books, perhaps because neither did so well in his studies. In spite of their ages, they were only in the second grade, and a person who knew both well said that Lang was barely able to write his name. Of the two Ernest had the better possibilities.

MAR 6 1943

Both, however, were industrious and anxious to make themselves useful in the community. Ernest did odd jobs and ran errands for Floyd Hudson, white, who operates Shubuta's drug store. Charles worked at times as bootblack in the barber shop of Kerney Paige, also white.

MAR 6 1943

Live Near Saw Mill

So close was the relationship of the two boys, that it was said in the community if Charles were seen, Ernest, too, was in the neighborhood.

MAR 6 1943

This might have been attributable to the fact that the two lived in weather-beaten houses near each other close to the saw mill of the Southern Lumber company at the northern edge of town. Both homes, which we saw, are visible from the highway. It appeared almost as if the boys were living in the middle of the lumber company's yards.

Before the lynching, Charles' father, Hilliard, worked in a railroad section gang and his mother, Vesta, made her home in Hattiesburg. After the lynching, in fact several days befores Christmas, the father of the lynched lad was drafted into the army to fight for democracy.

MAR 6 1943

Ernest's father, Louis, is said to have been living in Meridian at the time of the tragedy and his mother, Mintora, and at least one sister, Cora, were and are living in Shubuta.

Collect Scrap

The boys were widely known and were at the beck and call of anyone who had a few pennies to pay for the performance of some little task.

The need for rubber and metal scrap appealed to them greatly because it provided an opportunity to make a little money. They collected old tires and converted them into pennies.

MAR 6 1943

No one knows how much iron and copper and aluminum they unearthed in poking about dump piles,

Negroes did not participate. Those on the street at the time, hurriedly rounded up their children and disappeared into the doubtful security of their homes.

MAR 6 1943

Relatives of both boys refused the bodies when they were offered them by white authorities, and Negroes refused also to have them interred in the Negro cemetery.

"You lynched them, so you bury them," was the edict of the Negro community.

The two lifeless forms were turned over to the white undertaker, who, it is reported, unceremoniously dumped them into wooden boxes and buried them outside the white cemetery.

F 37a

Magazine cat.

Another Negro Lynched By Georgia Mob F 37a

The Florida Tattler

Duval, Nassau and Adjacent Counties | Founded In 1934 By Porcher L. Taylor, Sr. | Jacksonville's Only Negro Weekly

VOL. 10 NO. 2 | JACKSONVILLE, FLORIDA, SATURDAY, FEBRUARY 13, 1943 | FIVE CENTS A COPY

Woman Freed In Killing White Man

Sheriff With Fake Warrant Paves Road For Brutal Lynching

Albany, Ga.,--(SNS)--After an absence of two years the state of Georgia swung back into the lynch column, earning with the brutal beating to death of youthful Robert "Bobby" Hall the dubious distinction of providing the first illegal execution of 1943, it was learned this week.

Behind the death of Hall was a story of white hot hatred, the misuse of police authority, the forging of a fake warrant, a midnight abduction and a fiction-like conspiracy to take the life of a human being, that is so often told in the South.

Hall was arrested Friday, January 29, after he had been forced out of bed on automobile theft charges contained in a "fake warrant" served by Sheriff Claude Screws of Baker County, accompanied by Policeman Frank Jones.

Prove Warrant Fake

Positive proof that the warrant was a fake came to light with the testimony of John C. Derm, owner of the truck from which the tire was allegedly stolen, that no tire had been removed from the vehicle and that he had preferred no charges against young Hall. Derm's testimony was coroberated by his brother, George C. Derm, both of whom denied that they had signed any warrant.

Placed under arrest after the midnight visit by the minions of the law, Hall was at first thought to have beon lodged in the Baker county jail.

It was not until 2:30 o'clock Saturday morning, January 30, that what had really happened to Hall came to light. It was at that hour that employees of an Albany funeral home received an ambulance call to come to Newton, Ga., about 15 miles away and get a "nigger I had to beat up."

The call, relayed from a hospital in Albany, was reported to have been sent by Sheriff Screws. The ambulance attendants got to the badly battered and bruised man from the jail, where the jailer asserted that he had not been touched since his arrival, and that the victim was brought to the jail in the condition in which he was found.

Dies Shortly Afterwards

Hall, rushed to an Albany hospital, died a few minutes after he had been admitted.

The body bore 21 abrasions and contusions, and deep cuts in the wrists, lending observers to believe that he had been tied behind an automobile and dragged over rough ground.

The back of his head had been beaten so badly, it was described as being as "soft as a ripe tomato." The clothes were torn to shreds and the entire body was covered with dirt, further evidence that he had been dragged behind a speeding car.

Motive for the attack was supplied by several white Baker county residents after they had viewed the youth's remains. Sheriff Screws, it was disclosed, had become angry with Hall after the lynch victim had appeared before the grand jury seeking to recover a pistol which had been removed from pockets of his car by Sheriff Screws.

Enjoyed Citizens Respect

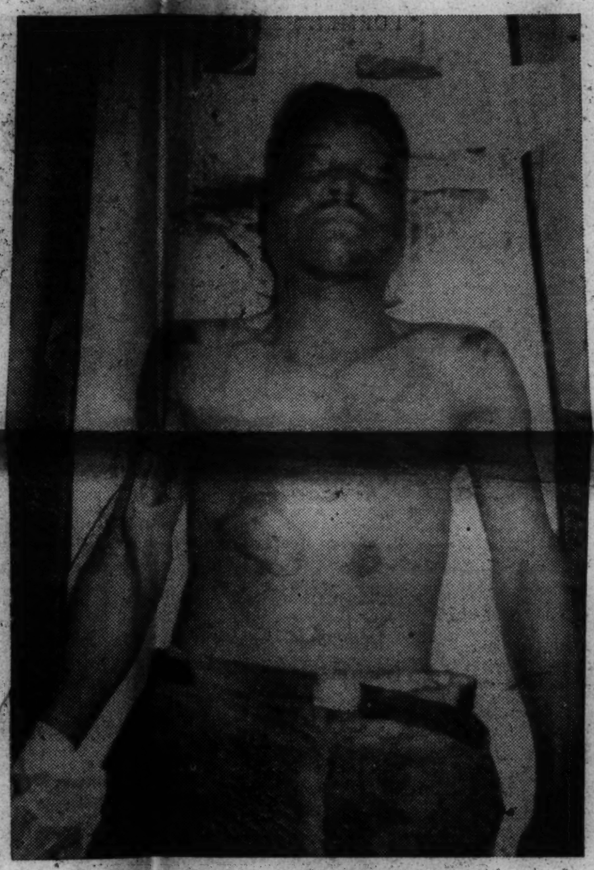
An expert mechanic Hall enjoyed the respect of both races of citizens from Baker county. He helped repair all of the tractors and farm implements in this section.

At the funeral was his brother, Private Howard Hall, who obtained leave from the army fighting for democracy, to attend. His father, a farmer and landowner, sat grief-stricken throughout the services held Wednesday, Feb. 3

Besides his parents, the victim is survived by his widow, a young son, three sisters and four brothers, all of whom reside in Baker county.

Thus far no charges have been filed against Sheriff Screws, who for several days was strangely absent from the community. Returning Wednesday, he was placed under the care of a physician and reports have been spread that he is suffering a "nervous breakdown."

BODY OF ROBERT "BOBBY" HALL, YOUTHFUL NEWTON, GEORGIA MECHANIC AS LYNCHED



YOUTHFUL ROBERT "BOBBY" HALL

E. D. Koelman Confined to Bed

E. D. Koelman, trusted employee of the Atlantic National Bank was stricken suddenly on Tuesday of this week and was ordered to bed.

Mr. Koelman is the business manager of the Jax Negro Chamber of Commerce, and is doing a fine job.

He resides at 1325 W. 33rd Street. Friends are asked to call.

MILDRED WILSON FREED

When an all white jury in the Criminal Court of Record, Duval County, Florida, on last Tuesday afternoon, brought in a verdict of not guilty, against Mildred Wilson, charged with the murder of Henry H. Newsome, a white man, it was with great difficulty that her attorney could make her understand that she was free that she fully realized what the verdict meant.

The diminutive 105 lb. mother of two little children was so happy when she realized that she had been acquitted that it was difficult for her counsel to keep her within her bounds of court decorum.

It was on last Labor Day when the defendant and her husband, Willie Wilson, had an altercation with one Henry H. Newsome about each other's rights on the sidewalk, in Jacksonville, Florida. The two men were engaged in an argument which attracted the attention of Eugene Hutchinson, another white man, who got out of his truck and demanded to know what the argument was about. Not being satisfied with Wilson's explanation, the two white men engaged him in a fight, knocked him down and, according to evidence, severely beat him. The defendant heard her husband's cries for help and when she saw the two white men on top of her husband beating him and nobody coming to his rescue, she quickly drew a pocket knife from her purse and stabbed both men in the back, killing Newsome instantly and seriously wounding Hutchinson.

At the trial the court instructed the jury, upon the request of S. D. McGill, counsel for the defendant, that if it believed from the evidence that at the time Mildred Wilson struck the fatal blow she believed, as a reasonable person, that her husband's life was in grave danger, it must find her not guilty. The defendant testified that she only stabbed the two white men when she believed that that was the only way to prevent them from killing her husband.

After the defendant was acquitted, a motion by her attorney to release Willie Wilson was

(Continued on Editorial Page)

37d(1)-1943

Northern

7016

Fewer Lynchings? Yes, But Mob Spirit Reigns!

Courier
Pittsburgh Pa.

EDITOR'S NOTE—Because of its dramatic and timely significance, The Pittsburgh Courier is publishing "Pursuit of Democracy," the weekly feature column by Marjorie McKenzie, as a first page news story this week.

By MARJORIE McKENZIE
(Courier Staff Writer)

WASHINGTON, D.C., April 8—An early denouement of the preliminary investigation in Georgia's most recently reported lynching should be at hand. It will be remembered that in late February, Governor Ellis Arnall ordered the Georgia Bureau of Investigation to probe the alleged dynamiting, Jan. 29 of Robert Hall, Newton, Ga.

It is claimed that Hall was seized in the night, during a false arrest by Sheriff Screws and Police man Frank Jones; was handcuffed, tied to the back of the Sheriff's car and dragged over four miles of road to jail. Naturally he was dead upon arrival.

APPARENT SYMPATHY

Apparently, Governor Arnall at least listened to the protests made by the NAACP and his press releases indicated that he was all for law and order in Georgia.

We understand, however, that the Solicitor General of Georgia is an elected official and cannot be ordered by Arnall to do anything. In this case the Solicitor's investigating officers happen to be the accused parties. Fortunately, in the event of inaction by the state authorities, this is the kind of a case that the Civil Rights Section of the Department of Justice has been moving in on under the authority of Sections 51 and 52, Title 18, U. S. Code. It has the power to make investigations and to present the facts to a federal grand jury with a view to obtaining indictments in cases where officials of the state deny to any inhabitant the equal protection of the laws or when persons conspire to induce an officer to deny to any citizen the rights which are guaranteed to him by the Constitution of the United States.

ALL RIGHTS LOST

Hall certainly lost all of his rights with great finality and the Justice Department may pull federal indictments against Screws and Jones out of the hat when the federal grand jury sits in Albany, Ga., on April 7, as it did in the case of Luther Holder, the sheriff who turned Howard Wash over to a Mississippi lynch mob last October. The indictment against Holder is the third of its kind in our history under the Civil Rights statutes and the first since 1904. As long as southern states will not enforce their own lynch laws and as long as there is no federal anti-lynching law, Sections 51 and 52 provide the only redress available in such crimes.

GEORGIA AGAIN!

Another Georgia case of considerable interest is U. S. vs. Sutherland, in which an Atlanta policeman is being tried under Section 52 for branding a Negro with a hot iron in order to extract a confession. Sutherland is, in fact, about to be tried for the third time as soon as the principal witness can be returned from sea duty. There have been hung juries at Sutherland's two previous trials, during one of which he burned his own arm trying to prove, as part of his defense, that the iron employed was old and not capable of branding anyone. So far as can be determined, this is the only criminal case on record in which the defendant has had three trials.

STILL OTHER CRIMES

There are other crimes of horror being reported out of the South. One, as yet unpublicized but believed upon reliable authority to be entirely authentic, relates that several months ago two Negro men were castrated in a Texas jail. One of the men allegedly was involved with a white woman who, although married, was reputed to be a prostitute. The second man was in jail on a charge of vagrancy and was awaiting trial the following morning. He did not even know the woman and consequently can be recognized as merely another of the innocent victims used by the white community as object lessons to Negro men generally to refrain from contact with white women. The only action that could be expected in such a situation would have to be on a federal level under Section 52.

FEWER LYNCHINGS

These torture cases, while serious, stop short of lynching either by intent or accident. The record for lynchings for 1943 shows that the Hall case in Georgia is the only one reported. One realizes with considerable shock that a lynching could occur about which there would be no publicity, just as there has been none in this Texas castration case.

USUAL OUTCOME WOULD NOT SURPRISE

The trial of Luther Holder, under indictment in the Wash lynching, is set for April 19. One may speculate at length as to what will happen at the South's first lynching trial under federal indictment in many years. Holder's counsel may demur to the indictment and thus set in motion the legal process of a direct Supreme Court test of the constitutionality of Section 51 on the ground that it is an invasion of states' rights. While it is still on the books, however, Section 51 is bringing legal protection and a redress of violence to the Negro citizen in those sections of the South where his rights heretofore have been neither recognized nor protected.

Amsterdam Star-News
New York, N. Y.

The FBI Can Halt Lynchings

Within less than a year, the Department of Justice has brought about indictments of two groups of white persons charged with lynching Negro men. In both cases the defendants were charged with conspiring to violate the federal civil rights statutes by depriving persons of life or liberty without due process of law as guaranteed by the Constitution. Although these statutes have been in existence since the Civil War period, they have been employed only twice in an attempt by the Federal Government to convict lynchers.

The first indictments for violating the civil rights statutes were returned by a Hattiesburg, Miss., Federal Grand Jury; but following a quick and one-sided trial, the defendants, all whites, were either dismissed or found not guilty. The second indictments were returned last week by an East St. Louis Federal Grand Jury in the lynching of James Edward Persons, 38-year-old Negro, who had served in this war before being honorably discharged.

Lynching of Mr. Persons was particularly brutal: he had committed no offense, and no warrant was outstanding for his arrest. Yet, according to the indictments, 13 men, including a former sheriff and three deputies of Vigo County, Ind., formed a mob, tracked Persons down as he made his way through the county and lynched him on October 12, 1942, in Edgar County, Ill. Persons was said to have "frightened white women" in his travels through the county, although none has been found to swear that he was guilty even of this.

The indictments of the 13 defendants in this case are most significant and important in the battle being waged in this country to abolish lynching. For if the Department of Justice prepares iron-clad cases against lynchers, it is bound to get convictions sooner or later. And it shouldn't be hard to prepare iron-clad cases. In addition to being cowards and brutes, lynchers are also careless in their flaunting of the law. Therefore, the FBI, which is part of the Department of Justice, should find it much easier to track down lynchers and get convictions than to track down kidnapers and other more elusive lawless elements in the country.

The sooner the Department of Justice gets a conviction in a lynching case, the quicker lynchings will stop. The Department could do this country no better turn today than to fight for the conviction of the 13 defendants in the Persons case with all its power and ability. We sincerely wish it better luck than it experienced in the Hattiesburg, Miss., case.

PROTEST LYNCHING OF CHICAGO SOLDIER

Courier Pittsburgh, Pa.

LEWISTON, Ill., [illegible] Henry L. [illegible] week, a flurry of protests from [illegible] the NAACP—through its Chicago branch—and other militant organizations, deploring the [illegible] ing of Pvt. Willie Hollis, 19, of Chicago, who was stationed at Camp Ellis.

Hollis was reportedly seized and killed by an irate quartet of white farmers from nearby Ipava after it was alleged that he criminally attacked a white farm woman and made improper [illegible] as she [illegible] ty line telephones to other white women. Hollis was killed by a volley of gun bullets on a farm shortly after the rumor circulated and his slayers were established as John W. Lane, W. H. Hamm, Ralph and Carroll Pharr, a four-man posse, all of whom were freed at the inquest by an all-white coroner's jury with Fulton County Coroner Mac [illegible] Nelson presiding. The verdict was "justifiable homicide."

ADMIT SOLDIER WAS UNARMED

The quartet of slayers and four women were the lone witnesses during the inquest and, in their testimony, all admitted that Hollis was unarmed and that he was shot after he threw a club at members of the posse. The women testifying were Irma and Wilma Hamm, daughters of one of the killers; their mother, Mrs. Charlotte Hamm, and Mrs. Thelma Lane, wife of one of the confessed slayers.

ANOTHER SOLDIER ACCUSED

Another soldier, Pvt. Morris Nichols, of Philadelphia, and also stationed at Camp Ellis, is now under [illegible] custody of local police. It is alleged that he criminally assaulted Mrs. George Quigley, also white, on her farm. Nichols denied the charge, but police said he had confessed. However, [illegible] lations officer at Camp Capt. Thomas [illegible] authorities have relinquished their claim to the colored youth.

The Hollis lynching and the Nichols episode have so intensified the atmosphere in this vicinity that Governor Dwight H. Green rushed Dr. Mark Bicknam, chairman of the state interracial committee, to the scene last week for a first hand account of developments.

Pursuit Of Democracy

Courier
BY MARJORIE McKENZIE

Violence in Dixie Are Significant Victories Prosecutions

CONSIDERABLE attention has been focused recently on the activities of the Department of Justice in certain southern states where lynchings, acts of violence and peonage cases involving Negro victims are being investigated and prosecuted under federal civil rights statutes. News releases and editorial comment have co-ordinated the information about these cases and the reason that the imprisonment of making an investigation. These legal action taken or still pending has been explained. Undoubtedly, the public is better informed concerning the distribution, frequency and nature of violence against Negro citizens than ever before.

The importance of the role being played by the Department of Justice should not be underestimated. There are those who seek to minimize its

Miss McKenzie

FROM FRUSTRATION

It has been shown that their violence is an outgrowth of their frustration and economic despair and does not reflect, as is usually contended, a break down of legal process nor the unwillingness of southern courts to prosecute Negro offenders. Case after case proves that the local authorities, of the town and county, resent the interference of outsiders in the management of their affairs, including their lynchings. The Howard Wash trial is a good example of the resentment of the men of one district toward service on juries of men from a distant part of the county, with Wash who was alter lynched, being the ultimate victim of their disagreement over the verdict. The interference of the Governor and the state militia to prevent a lynching is no more welcome than that of any federal agency or officer.

THE action that has been taken under the civil rights and anti-slavery statutes in these recent cases is significant because the federal grand juries that have returned the indictments are composed of local citizens. Not only have the juries been southern, but the prosecutors and judges have been southern as well.

LIBERALS GET ENCOURAGEMENT

Southern states zealously have placed anti-lynching laws on their statute books and local southern authorities as zealously have refrained from implementing them. The so-called southern "liberals" and many other southern whties would oppose bitterly any effort to put an end to segregation, are honest and correct in their determination to protect Negro citizens from lynching, mayhem and peonage. They have been outwitted many times and for many years by despotic county sheriffs who dare defy even the governor.

APR 7 1943

THESE people are now encouraged by the support given them in the Department of Justice cases and seem inclined to deal more forthrightly with the problems they have clamored so long as theirs alone. Hopefully enough, the Corpus Christi (Texas) Times of March 23, in commenting about the conviction of the Skrobarcyzks in a recent peonage case, said, "In this incident, one of the significant victories of the war was won on the home front." To us the victory may seem but one of many needed reforms, but we cannot afford to minimize the importance of the growth of this kind of sentiment.

37d(1) - 1943

Southern

Star of Zion
Charlotte, N. C.

The Japanese Outrage

MAY 6 1943

We were not surprised either by the Japanese admission that they had executed American airmen, who raided Tokyo, or by the wave of indignation that swept over the nation when President Roosevelt gave out the information. A nation that could ruthlessly make war upon China, and other countries, and follow it with the sneak attack upon Pearl Harbor without ever making any declaration of war would certainly not feel bound by any of the laws of international warfare or any other rule of decent conduct.

MAY 6 1943

Americans are justified in expressing the deepest disgust and horror at this deed of merciless execution of prisoners of war, who by all standards of war would be treated with reasonable kindness. It has been puzzling to us, however, how we are going to explain the consistency of our charges of savagery and barbarism against the Japanese when they know how we have barbarously butchered, burned and hanged citizens of America, who ought at least have been given a fair trial and punished according to law, if, indeed, they were guilty of the crimes charged. Even since the war began two boys were lynched in Mississippi, and a jury has just freed several men who had been positively identified as members of the mob that recently lynched a man in the same state, the home of Mr. Rankin, who claims that his state has found the solution to the Negro problem.

MAY 6 1943

Gallup Says South Favors Lynch-Law

Journal & Guide Norfolk, Va.

PRINCETON, N. J.— (ANP) — Dr. George Gallup, director, American Institute of Public Opinion, declared [illegible] poll taken of southerners revealed that a majority of them favored a federal anti-lynching law.

AUG 7 1943

Field reporters for the institute canvassed a representative cross-section of voters of Texas, Louisiana, Arkansas, Oklahoma, Georgia, South Carolina, North Carolina, Tennessee, Mississippi, Kentucky, Alabama, and Virginia and asked this question:

"Do you favor or oppose a federal anti-lynching law?"

A majority of the persons sampled favored the law as opposed to a similar poll taken in 1937 when less than a majority favored the law. Recent findings compared with those of the earlier poll show:

	Today	1937
Favor Federal Anti-Lynching Law	47%	47%
Oppose Federal Anti-Lynching Law	23%	36%
No Opinion	21%	17%

AUG 28 1943

Pointing out that only those with opinions on the subject were to be considered, the institute's report said a greater proportional increase was noted among those favoring the law. In 1937, 57 per cent of those with opinions favored the law but today the percentage has jumped to 71 per cent, which Dr. Gallup termed a "substantial majority."

Believe Von Amsterdam News Lynched in Georgia Town

New York, N. Y

World War I Veteran Mysteriously Disappears From a County Jail

CEDARTOWN, Ga., (ANP)—Belief is widespread in this community that Precious E. Grant, a veteran of World War I, who mysteriously disappeared from the county jail here, has been lynched and his body left for carrion birds in the nearby woods.

DEC 11 1943

Grant was arrested last March 21 on a warrant sworn out by a white woman charging him with attempted rape. The woman failed to identify Grant as her assailant, claimed that a man, whose racial identity she did not know, grabbed her from behind on March 21, and instantly released her after she screamed.

Grant was held in the county jail from March 21 until Nov. 28, when two unknown white men came and removed him from his cell. He has not been seen since.

'COTTON ED' DEFENDS LYNCHING

Courier Pittsburgh, Pa.

WASHINGTON — This week on Capitol Hill a reactionary anti-Negro gang, led by poll-tax Senators and Congressmen and aided by numerous other reactionaries—is hatching a conspiracy to hold up Franklin D. Roosevelt with a wooden gun. Made bold by their defeat in the Senate of the Green-Lucas Vote Bill, the gang last week moved into open defiance of the Roosevelt administration and brazenly revealed their plans to bolt the Democratic party if necessary, to win their objective of having Roosevelt or any other New Dealer from becoming President in 1944.

Smarting under the charge of Senator Joseph Guffey (Dem., Pa.) that they had engaged in an "unholy alliance" with Republican senators in voting to defeat soldier vote legislation, a group of senators including "Cotton Ed" Smith of South Carolina, Josiah W. Bailey of North Carolina and Harry Byrd of Virginia—all Democrats—came out on the floor of the senate with statements the like of which have not been heard in congressional debate since the period just before the southern states seceded from the Union.

DEC 18 1943

SLURS ROOSEVELT

Insolently defending lynching and asserting that the Negro outstinks hell," Smith of South Carolina, told the senate that he favored a bolt of the New Deal by Southern Democrats. He referred to the President as "the thing we've got," saying "I have been here with five Presidents and a piece—a sixth; five Presidents and the thing we've got." He nominated Harry Byrd of Virginia for the presidency.

Declared Bailey: "We can form a Southern Democratic party and vote as we please in the electoral college and we will hold the balance of power in this country. We can throw the elections into the House of Representatives and cast the votes of 16 states."

Back of the secessionist language in the senate is even more sinister plotting behind-the-scenes. From unimpeachable sources The Pittsburgh Courier learned this week of a plan, fostered by Senator Tydings, of Maryland, and others, to hold up action on anti-poll tax legislation until shortly before the Democratic National convention. In this way, it is hoped, so The Courier informant declared, to steamroll the Southern delegates to the convention away from Roosevelt or another New Deal candidate.

REACTIONARIES OUTLINE PLOT

DEC 18 1943

The statements from Southern governors, such as Governor Jones, of Louisiana, against Roosevelt's Negro policy, the steady running fire criticism of pro-Negro activities of the FEPC and other Roosevelt agencies, has mounted tremendously in recent months, until reliable authorities, state Southern and Northern congressmen, have in some cases almost come to blows in Democratic cloakrooms of the Senate and the House.

Back of all these threats and bad feeling lies careful planning of the reactionary gang. Here is the outline of their plot: First of all, they will attempt to halt the nomination of Roosevelt. To do this, they rely on control of the 342 convention votes of 16 Southern states of 1,142, and added to that, the votes which Roosevelt-haters like Farley of New York; Kennedy of Massachusetts; Wheeler of Montana and Clark of Missouri can bring to the coalition. If they fail in this attempt, they then hope by running a candidate of their own to control the 155 electoral votes out of a total of 531, which the 16 Southern states will have in the electoral college, where the President will be chosen. They hope at least by this tactic to throw the election into the House of Representatives, where the Southerners would hold the balance of power.

PLOT MAY NOT SUCCEED

DEC 18 1943

Skillful and threatening as these plans are, they are nevertheless, little more than a boast; little more than an attempt to hold up Roosevelt with a wodden gun. There are solid facts to support such a statement. Only this week Senator Lucas released a letter from Carter Glass, Virgina senator, supporting the soldier vote bill and repudiating the position taken by his colleague, Senator Byrd. In addition, such Southern liberals as Pepper, of Florida, Governor Arnall, of Georgia, while not friendly on the Negro question, will support the President against this gang. It is clear that try, though they may, this group cannot get the Southern states to vote against Roosevelt, either in the Democratic convention, or in a general election.

It remains to be seen, however, whether the Roosevelt forces, frightened by the possibilities of a growing revolt among Southern Democrats, will soft-pedal on their Negro policy or will meet the issue head on. If they soft-pedal, then there is no chance of looking for Negro officers or Negro women in the Navy, or for enforcement of the directives of the President's Committee on Fair Employment Practice. If they fight, then it seems certain they will seek to solidify their position among Negro voters by meeting major demands of Negro people.

Flood Congress With Protest Mail

Courier Pittsburgh, Pa

WASHINGTON—A flood of telegrams to House Election committee and individual members of Congress urging passage of unamended Lucas-Green-Worley Soldier Vote bill can turn the tide, the Washington Bureau of the NAACP announced stating "the fundamental reason for Eastland-McKellar-McClellan - Rankin meaningless substitute bill is to prevent Negroes from voting."

7017

37d(2)-1943

Birmingham Ala. News
March 22, 1943

Northern

7018

The Way Lynching Will End

There's something shocking, at this distance, in the mass meeting at Rolling Fork, Miss., to promise that the citizens of Sharkey County would not lynch a Negro accused of murdering Rolling Fork's chief of police. Considering the laws against murder, riotous assembly, conspiracy and violation of civil rights, it fairly seems that any American should have to rely on the promise of his neighbors that none would lay violent hands on him and put him to death.

Considered from a practical standpoint, however, the Rolling Fork incident points to the way in which lynching is most likely to be ended: by the pressure of public opinion in would-be lynchers' communities. When the evil is at last conquered, we may look back and find that the principal value of agitation for anti-lynching legislation was in mobilizing public opinion, in the areas where lynching was most frequent, by giving it a look at public opinion throughout the nation.

We rejoice in the anti-lynching pledge of the Rolling Fork mass meeting and hope that this example of local responsibility will prove contagious throughout the South.—Chicago Sun.

37d(2)-1943

Washington Post
Washington, D. C.

Lynch Law

APR 30 1943

Patriotic fervor sometimes takes strange and unshapely forms. According to an Associated Press report, some well-meaning citizens of Duluth, Minn, planned to dramatize their war-loan drive recently by hanging Hitler in effigy, after court-martialing him with a firing squad serving as jury. If you stop to think about this for a minute, you will recognize it as precisely the kind of trial which Hitler himself has made common throughout occupied Europe. It is an expression of the lynching spirit which has made the Nazis the enemies of all civilized mankind. Every American true to the principles of his country must shun that spirit as if it were a plague. APR 30 1943

When men lose their tempers, they are liable also to lose sight of their goals. It would be well for us to remember this as our anger rises over fresh instances of the cruelty and savagery practiced by our enemies. If we ape their barbarity, instead of extinguishing it, we ourselves will be conquered in spite of how successful our armed forces may be. APR 30 1943

Courier-Journal
Louisville, Ky.

Hot Blood In Texas But Not In Florida

JUN 19 1943

Quite in contrast to the quiet, orderly but savage lynching of a Florida Negro jail prisoner early Tuesday morning was the riotous scene of carnage and blazing homes which brought Beaumont, Texas, under martial law Wednesday night. Race feeling was at the bottom of both. But the Beaumont outbreak originated in hot blood, the Florida crime was cold-blooded murder, committed in the most brutal manner; and the calm courage of a Texas sheriff, unflinching in the face of a berserk mob, stands out in caustic reproach to the craven character of the Florida jail keeper who surrendered his prisoner at discretion.

Mob violence which develops unexpectedly out of some minor clash, like the Beaumont riot or the recent Los Angeles disorders, can neither be anticipated nor prevented; but it is comparatively rare. The lynching party at the Jackson County jail in Marianna, Florida, was typical of the prevalent kind the anti-lynch bill in Congress is designed to eradicate. The victim, awaiting a new trial for murder, was in custody, under guard behind locked doors and steel bars when the jail keeper accommodatingly opened the front door to four masked men who had explained they wished to leave a drunk in his care, and one of them held a gun on him. Thereupon the jailer acceded to their demands and they took the Negro out of town and clubbed him to death.

JUN 19 1943

Such crimes can be pre-arranged; but it is sufficient in the circumstances to say that commonsense precautions of a vigilant person fit to guard a jail would have left the gunmen impotently cooling their heels on the doorstep. Jail accommodations are not intended for anyone brought around by anybody. A legal way is provided for getting people into jail

There was no intimation that the lynching party took the trouble to cut the jail's telephone connection just in case their ruse failed. Their confidence of success was as well placed as it was evidently implicit and they had no fear of identification. One eyewitness is dead; the other says they were masked.

JUN 19 1943

Savage Lynchings

Evening Tribune, San Antonio, Texas

IN HIS MEMORABLE "Address to Fellow-Countrymen", deploring mob spirit—dated July 26, 1918—President Wilson denounced the lyncher in these terms: Evening News

JAN 1 1943

"He has adopted the standards of the enemies of his country, whom he affects to despise." San Antonio, Texas

In line with that assertion, consider this description of a mob's acts (in Tuskegee Institute's review of the lynching record for 1942):

"One of the persons lynched was dragged through the streets behind an automobile and his body burned. Another victim was dragged behind a speeding car to the edge of town and hanged from a cotton-gin winch."

That is the sort of sadistic savagery which one might expect from the war-maddened Gestapo, seeking to crush rebellious Czechs, Poles or Serbs in the occupied countries. Such are the cruelties which the Germans practice against the Jewish population even in their own country. Until a mob atrocity puts him to shame, the patriotic American likes to think that his country is civilized. Now, when the American utters shocked protest at the enemy's brutal crimes against defenseless peoples, the Southern lynch-mob gives that enemy a sharp comeback: JAN 1 1943

"Clean around your own door."

Though such crimes are fewer than in former years, the five which Tuskegee Institute recorded in 1942—accompanied by the revolting scenes described—were five too many.

Afro-American
Baltimore, Maryland

South Opposes Lynch Law

AUG 28 1943

PRINCETON, N.J.—(ANP) — Dr. George Gallup, director, American Institute of Public Opinion, declared last week that a poll taken of Southerners revealed that a majority of them favored a Federal anti-lynching law.

37d(2)

Field reporters for the institute canvassed a representative cross-section of voters of Texas, Louisiana, Arkansas, Oklahoma, Georgia, South Carolina, North Carolina, Tennessee, Mississippi, Kentucky, Alabama, and Virginia and asked this question:

AUG 28 1943

Do you favor or oppose a Federal anti-lynching law?" The results, as compared with a poll taken in 1937, follow:

AUG 28 1943

	1943	1937
Favor Federal anti-lynching law	56%	47%
Oppose Federal anti-lynching law	23%	36%
No opinion	21%	17%

7019

7019

PM
New York, N. Y.

Three men hang on a tree in the Ox-Bow Valley, and two of the lynch mob—Ma Grier (Jane Darwell) and Monty Smith (Paul Hurst), look on their handiwork.

The story of a lynching

'The Ox-Bow Incident,' a powerful movie from a powerful novel, has added meaning for us in the light of recent events.

JUL 11 1943

By Hermine Rich Isaacs

BECAUSE mob violence has flared up recently in Mobile and Beaumont and Detroit, we are re-telling today the pertinent story of a great novel and its great motion-picture adaptation: The Ox-Bow Incident. *Both the novel and the film were artistically fine; but more than that they spoke out in powerful terms against mob lawlessness, and they made horribly clear some of the reasons why men of various types will commit mob crimes in the belief that they are being brave and righteous. We believe that any person who reads Robert Van Tilburg Clark's novel or sees the film will feel more intensely about what happened in Mobile, Beaumont, Detroit. We hope some of the power of the novel and film will reach you in this re-telling.*—Ed.

The Ox-Bow Incident is the story of a lynching. Using all the ingredients of the Western, it improves on its prototype by delving beneath the surface of events to show what happens to a group of individuals when they become members of a mob. The fact that the scene is set in the 1880s serves only slightly to blunt the story's pertinence as a sharply pointed parable of today.

The plot is simple. Word is brought to the town of Bridger's Wells that a cattle man, Larry Kinkaid, has been shot, some cattle stolen. A mob gathers. A few wise or timid men try to deter the crowd but, egged on by a friend of Kinkaid, it rides after its prey.

It finds three strangers under suspicious circumstances, and after a night of wrangling and a mock trial it hangs them.

Only when the lynching is done does the posse discover that the crime it went to avenge was never committed.

To William Wellman the director, and Henry Fonda, who plays a secondary role, goes major credit for bringing the novel successfully to the screen. They knocked on many producers' doors in Hollywood before they finally won the ear of Twentieth Century-Fox. Lamar Trotti made the adaptation, holding closely to the book in essentials.

There is, however, one departure from the original that does much to strengthen the film's dramatic tension. A key factor in both versions is a letter one of the victims writes to his wife. In the book, it is never written out, but in the film it is—actually it's a paraphrase of a speech in the novel. The picture ends with its reading—a fervent indictment of men who take the law into their own hands. The letter is printed on Pages 6 and 7.

Continued on next page

JUL 11 1943
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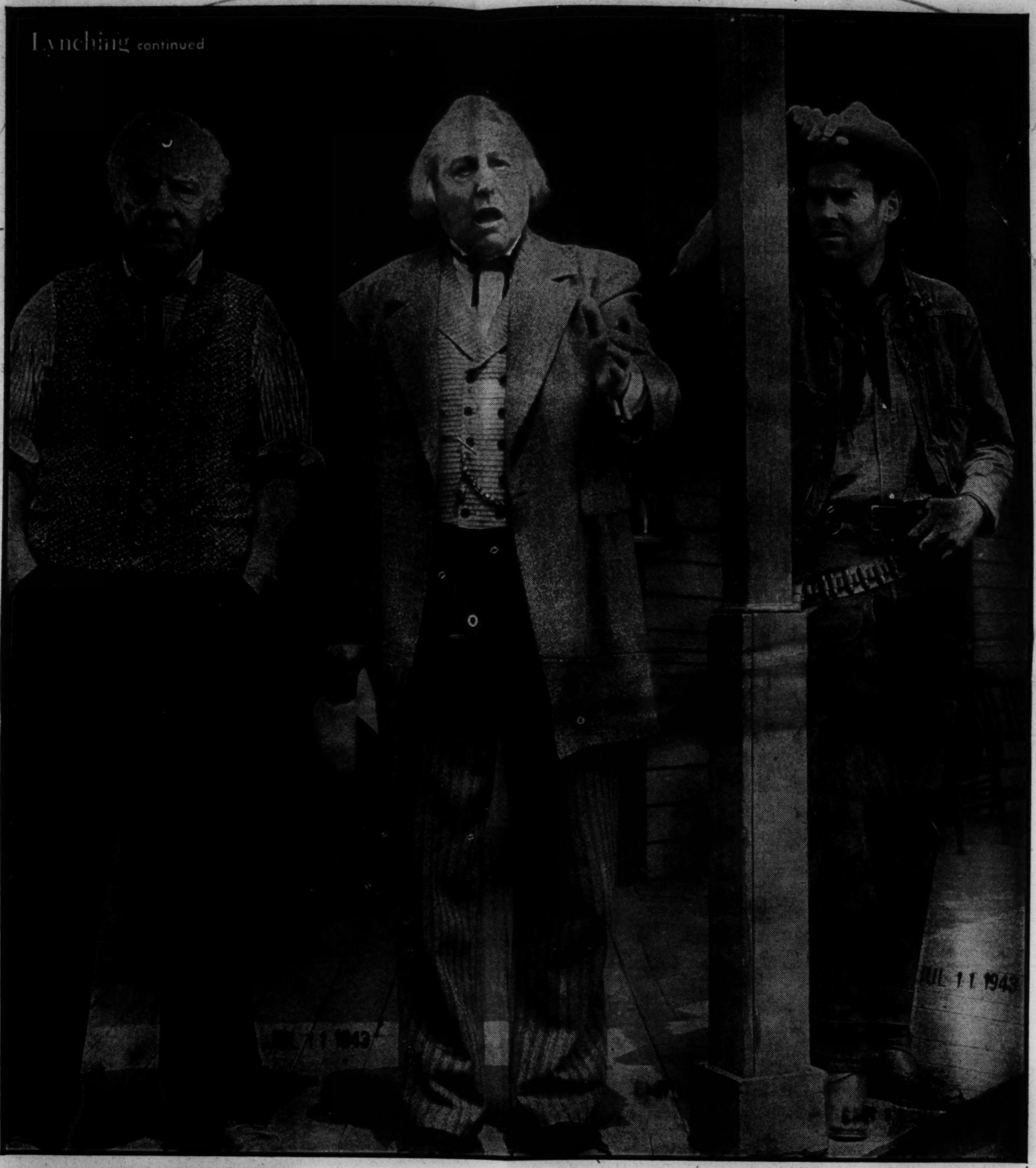
WITHOUT PERMISSION OF THE OFFICE OF DEVELOPMENT



These men tried in their own ways to stop the mob

AS THE MOB GATHERS, a few men speak out on the side of law and order. The white-haired storekeeper (Henry Davenport) left above, pleads with the crowd not to go off half-cocked. Later on he says: "If we hang these men without trial, we're due to be hanged ourselves . . . we'll be worse than murderers. Their acts put them outside the law but keeps the law intact. Lynching weakens the very law itself." Flannel-mouthed Judge Tyler (Matt Briggs), center, delivers fancy phrases: "Of course you can't flinch from what you believe to be your duty, but certainly you don't want to act hastily. . . ." He is a representative of the law, but he commands no respect from the men. Gil (Henry Fonda), right, has the right instincts but lacks conviction. In the film he personifies men who do not believe in mob violence but do not act to prevent it.

JUL 11 1943

And just as in Detroit it acts on a fancied grievance

WHEN DAWN HAS COME, the three men are lifted to three horses beneath a large tree. Farnley fixes a noose around each man's head. Then the horses are whipped out from under them on a signal from Mapes. With the three men hanging dead from the tree and the Negro, Sparks, singing a hymn, the posse rides back to town. On the way they meet the sheriff who stuns them with the news that Kinkaid is alive. The report of his death—which in the excitement no one had thought to question—had been false. The mob had a fancied grievance—as had the mobs in Mobile, Beaumont and Detroit. And—just as our contemporary mobs have done—this one took the law into its own hands, committing crimes of its own, without solving any problems for anyone.

the mob's victims to his wife

but all laws. Law is a lot more than words you put on a book, or judges or lawyers or sheriffs you hire to carry it out. It's everything people have ever found out about justice and what's right and wrong. It's the very conscience of humanity.

There can't be any such thing as civilization unless people have got a conscience, because if people touch God anywhere, where is it except through their conscience? And what is anybody's conscience except a little piece of the conscience of all men that ever lived?

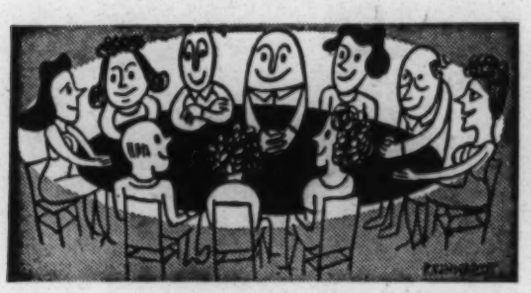
AT THE BAR where the men have gone to forget, Gil—the man who lacked conviction—reads the letter aloud. The men stop drinking to listen, and when he finishes there is silence. The men, confused, repentant, afraid, had been so sure they were right. **END** 7

Local Items

Family circle of 60 takes on the war—and everybody gains

LILY GARBER WIENER, who is 28, soft-spoken and very much in earnest about civilian participation in the war effort, gets this department's nomination for Home Front Heroine of the week. Lily is spokesman for, and moving spirit of, the Mary Garber Family Circle—whose 60 members, all Garbers by birth or marriage, have taken on the war as a family project.

"It wasn't like that when we first organized our Circle three years ago," Lily told us in her Brooklyn apartment last week. "We were more of a social organization then. Our members paid 25 cents dues and held monthly meetings to discuss family matters and give parties for the men going into the Army.



"But last February, just before my husband left for the Navy, we changed," Lily said. "My husband told us we were too busy taking care of ourselves when we should be concentrating on winning the war. Well, that started a lot of discussion. Some of the older members—I'm the youngest and the oldest is 53—felt we were doing enough already, writing our members in the armed forces and things like that. Others were afraid we'd lose the familiar tone if we worked with outside groups. But we younger ones felt that every one of us should be doing something for the war, and we won."

So the Circle gave a party to raise money for Allied War Relief. Then more than half the members signed up as regular blood donors.

"And finally," says Lily proudly, "every single one of us got volunteer war jobs."

Lily herself is secretary of the Brooklyn chapter of the Committee for the Care of Young Children in Wartime. One sister organized, and is head of, a consumer group in her neighborhood. Two sisters are active in the Women's Auxiliary of the Jewish War Veterans. One sister and several nieces work for CVDO. One brother signed up as a City Patrol Corpsman and, in addition, takes pictures of servicemen at the Stage Door Canteen. Another brother is chief of the volunteer firemen in his neighborhood. One niece works for Russian War Relief, another is about to join the WAACs.

"Now we feel that, as a family, we have a stake in the war," Lily said. "And we've found that the sentimental family relationship didn't wither away. It just assumed less importance. After we took on the war, we found we gained more than we lost as a family."

In which we eavesdrop on a spy suspect's wife

AFTER WE GOT OFF THE BUS in Tompkinsville, S. I., a cop with a leathery face pointed out the general direction of 123 Oxford Place, home of Ernest Frederick Lehmitz, first of two German-born Staten Islanders arrested last week as spies. Two days after the arrest, we were curious to see the unsuspecting neighborhood that had harbored a suspected Nazi agent.

"Goin' up to see where that spy lives I guess," our cop guessed. "Well, I say he ain't no master mind. You wouldn't find no master mind emptyin' spittoons and moppin' up in a saloon. He don't look like no master mind to me—he's got a face that you wouldn't give him no second thought."

We labored up the steep hill the policeman had pointed out. It was a street lined with small, suburban houses and crossed by avenues of quiet neighborhood stores. We stopped at one of the shops, a grocery on Cebra Avenue owned by G. Napolitano.

We asked Napolitano if he had met Lehmitz, what he was like.

"Nice fella," remarked the kindly faced grocer. "Never say anyt'ing at all. Buy bacon, eggs. I never t'ought such 'ting lika dat."

Around the corner on Victory Boulevard we called on Erwin Seidler, plump owner of a delicatessen.

"Sure I know him," Seidler replied to our question. "He came once or twice a day for beer—a quart bottle or three little ones. I still can't believe it. A friendly man. Not like in movies."

Near the top of the hill was 123 Oxford Place, a pleasant red brick house with a view of New York Harbor. We rang the bell of 119, Lehmitz's neighbor, John F. Burke. A middle aged woman opened the door. She said she was Mrs. Burke, and led us into her parlor, full of slip-covered furniture.

"Well, what can you say?" She shrugged her narrow shoulders. "So quiet and courteous, thanking you half a dozen times for little favors—you know. He was an educated man. Very bright. They didn't seem to have much money. They lost their house. Now they rent it and take in roomers. My husband and I come to the conclusion one of the FBI men musta been in the house as a roomer.

"They didn't arrest his wife. Herself says she knows nothin' about it. It's hard to believe, but still and all . . . looka here, quick!"

We went to the window to look. "That's her," said Mrs. Burke. Coming out of the side door of the Lehmitz house was an elderly woman, spare and bent, picking her way timidly down a short flight of steps. She wore a black and white print dress. Her rayon stockings bagged about her bony legs.

"She comin' in here!" cried Mrs. Burke. "Hide here in the kitchen." And she went to answer the bell.

A quavering foreign voice said: "Ach, you got already today's *Advance*." The two women sat down. "'Spies promised Quick Justice,'" Mrs. Lehmitz read.

Mrs. Burke said: "Shootin's too good for him. He was plannin' to kill our boys—my John in the Army, Mrs. Gilmartin's three sons in the Service. Why, he knew them all from infants. And him askin' me all the time how my John liked camp. . . . And that Lynch boy that was torpedoed, and Gianoti's, that's missin' at sea—he mighta had to do with them. He was real unpatriotic."

The thin, confused voice of Mrs. Lehmitz said: "He killed me, too."

Mrs. Burke demanded: "This Mrs. De Spretter, the wife of that other spy. Did you know her?"

"No, I never saw her," said Mrs. Lehmitz. Then she continued reading from the newspaper: "'It can't be true,' says Mrs. De Spretter. 'I guess dot goes for me, too. Out of de question—he's crazy.'"

"All over-bright people are crazy," said Mrs. Burke. "And all for a few dollars. If I could put my hands on him I'd choke him."

But Mrs. Lehmitz said: "I don't approve de deat' sentence. For some people prison iss worse."

A dog barked. "Ach, dot's my poor dog. He iss so sad now, poor boy."

She left presently, confused and pathetic. Mrs. Burke came into the kitchen, shrugging her shoulders. "Maybe she really don't know anything about it."

She walked us to the door: "Everybody around here knows what's goin' on down in the Harbor. We all see and hear things. But we mind our own business. Our boys are in it. There isn't a young fellow left around here. I could choke that man with my own hands."

Here's the kind of a song that gives Toscanini a kick

SEVERAL WEEKS AGO Harriet Van Horne, a *World-Telegram* columnist, reported that one of Arturo Toscanini's favorite recordings was a hillbilly tune titled *Mussolini's Letter to Hitler*, with Hitler's reply on the other side. A visitor to Toscanini's Riverdale home told Miss Van Horne that the record was decidedly on the corny side and almost worn out. But, said the visitor, "the Maestro roars every time he plays it, thumping his heel like an old-time fiddle player."

Charmed with this behind-the-scenes picture of shy and dignified Toscanini

and curious about the song that amused him so, we set out to track the record down. No New York music store had it, but we did find the song's composer—Carson Robison, who is 52, lives at 175 West 72d St. and has composed some 300 cowboy tunes, including *Carry Me Back to the Lone Prairie*.

Robison was pleased that Toscanini liked *Mussolini's Letter to Hitler* and equally pleased that it had been called corny. "That's what hillbilly is," he said, "corny." He played his recording of the song slowly for us, while we noted some of the words that tickled the Maestro:

Dear Adolf, I wrote you a letter
And I used the new address you said,
But Moscow returned it this morning
With a word written on it in red.

It's a word I've been hearing often
And I know just how much it hurts,
You've heard it yourself from the British—
Dear Adolf, that word was *Nerts*.

Adolf's reply goes, in part, like this:

Dear "Moose," the letter you wrote me
Is the first laugh I've had in a year,
I read it to my old friend, Goering,
And he darned near choked on his beer.

The lack of parades must hurt you,
For I know how you love to strut,
And I'm sorry your wardrobe is shabby
But we'll all had to take a big cut.

However, I'm sending some leather
And with it I give you this toast:
"Reinforce the seat of your britches,
[illegible] where you'll need it the most."

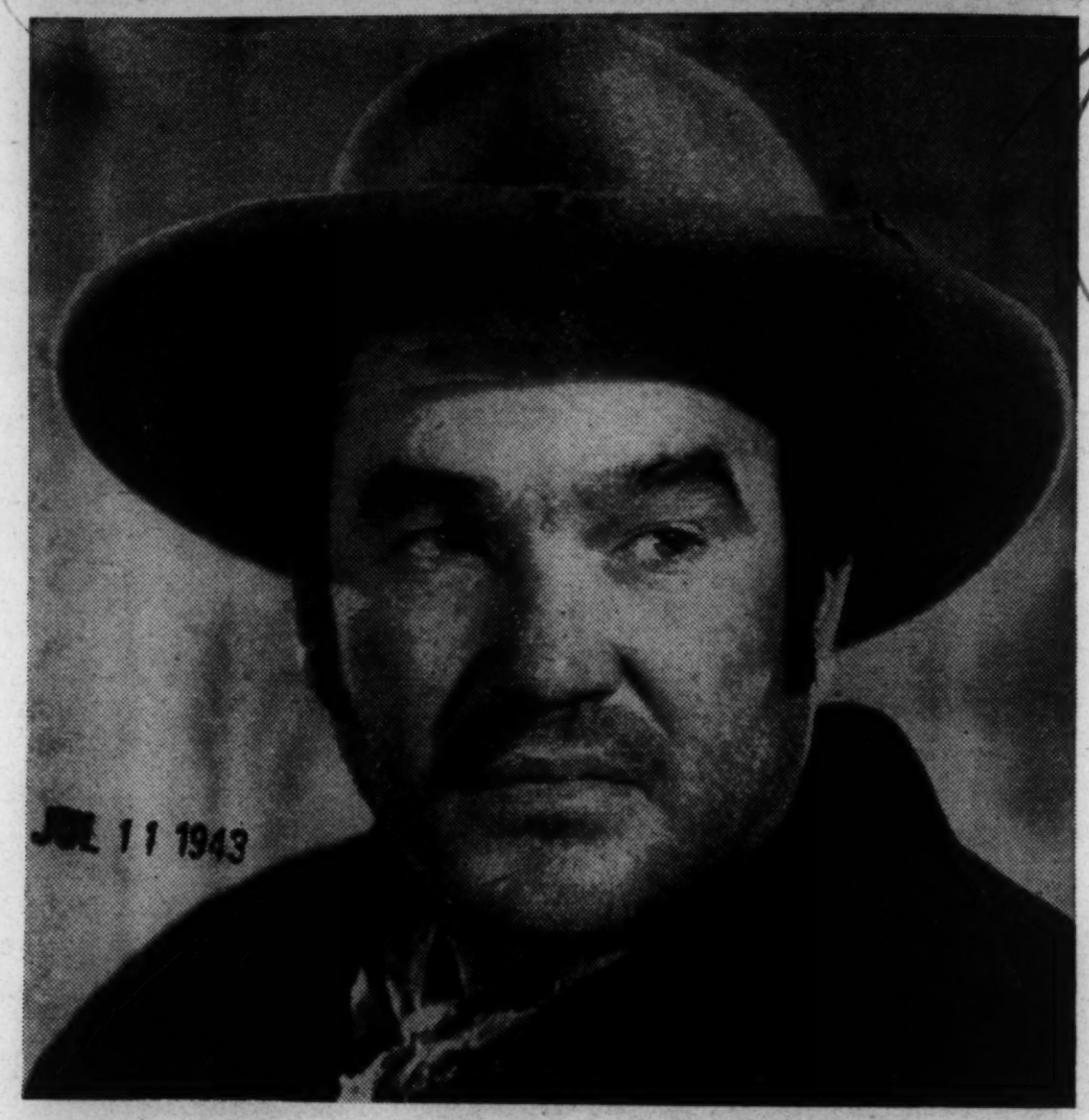
A 10-year-old proposes a slogan for 'Dear Comrade'

A TEACHER WE KNOW recently had her class of 10-year-olds write letters to Russian boys and girls as part of the current *Write to Russia* campaign. One small boy, who apparently didn't believe in beating around the bush, started his letter "Dear Comrade, I have great respect for your nation mostly because of its courage" and ended the note three lines later with: "Between you and me let our motto be EVERY NAZI OFF THE WORLD—or bust. So long."

TUSKEGEE INSTITUTE ARCHIVES

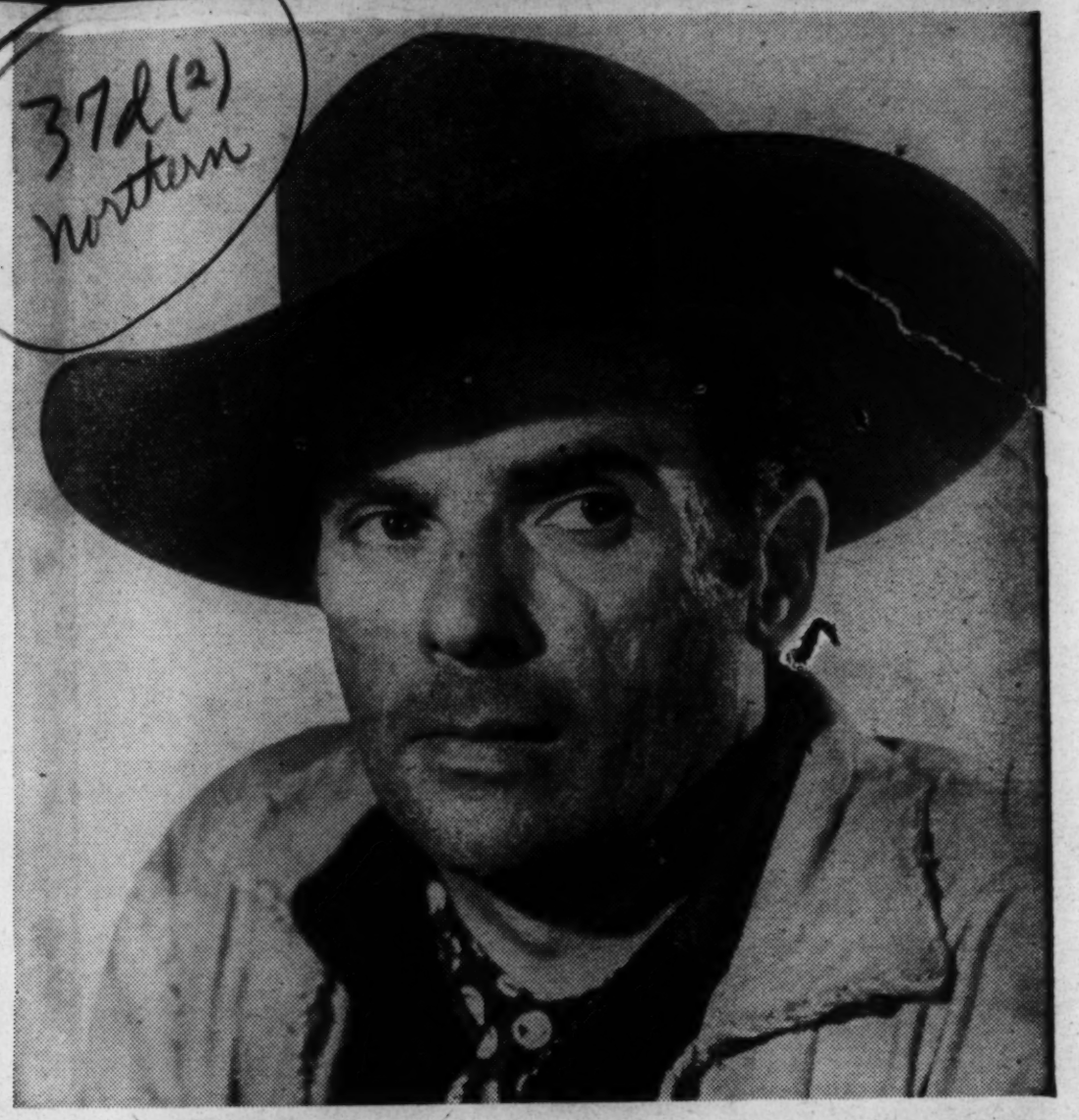
Each has his own reason for going to a hanging

372(2)
Norstern

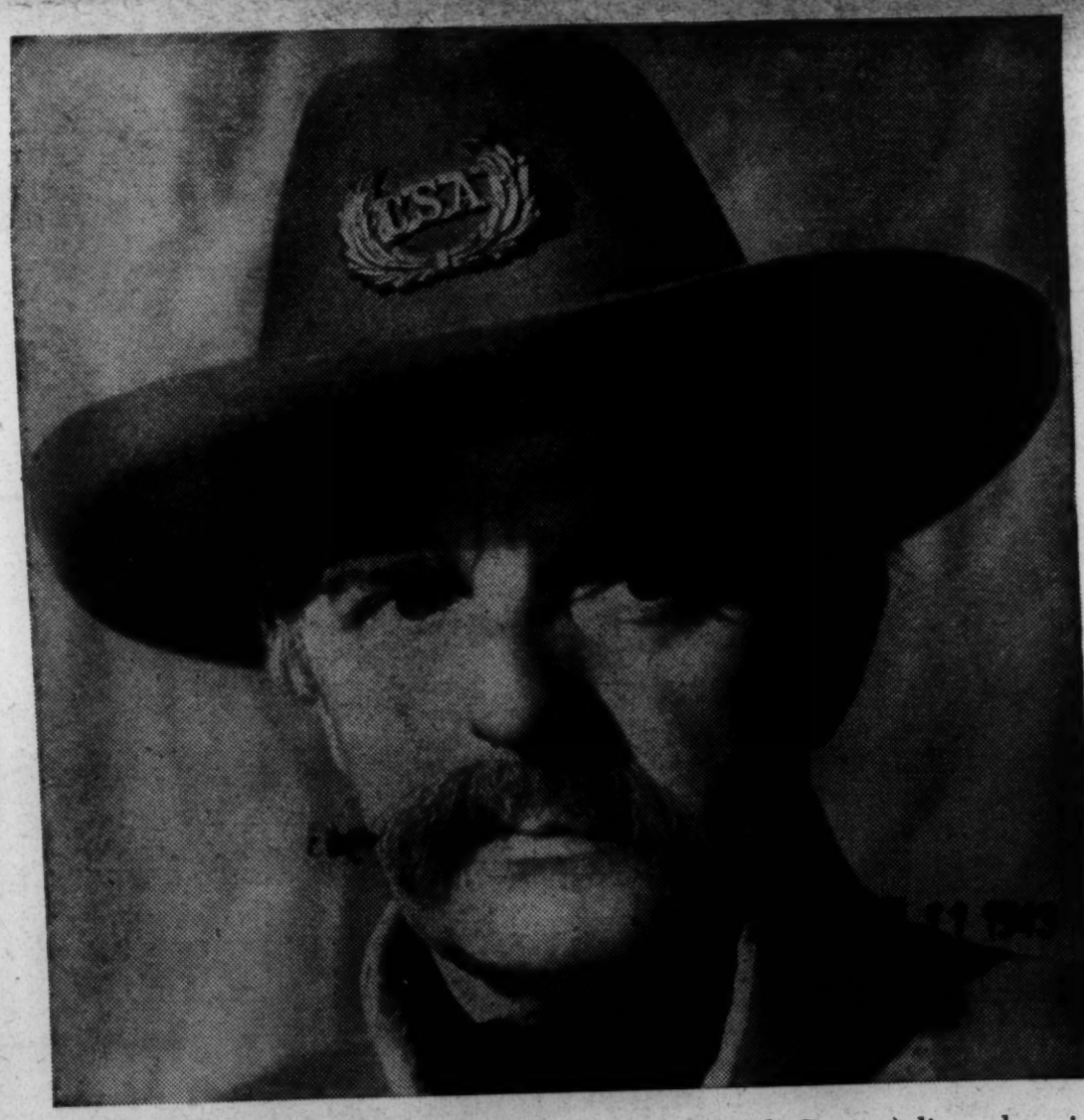


JUL 11 1943

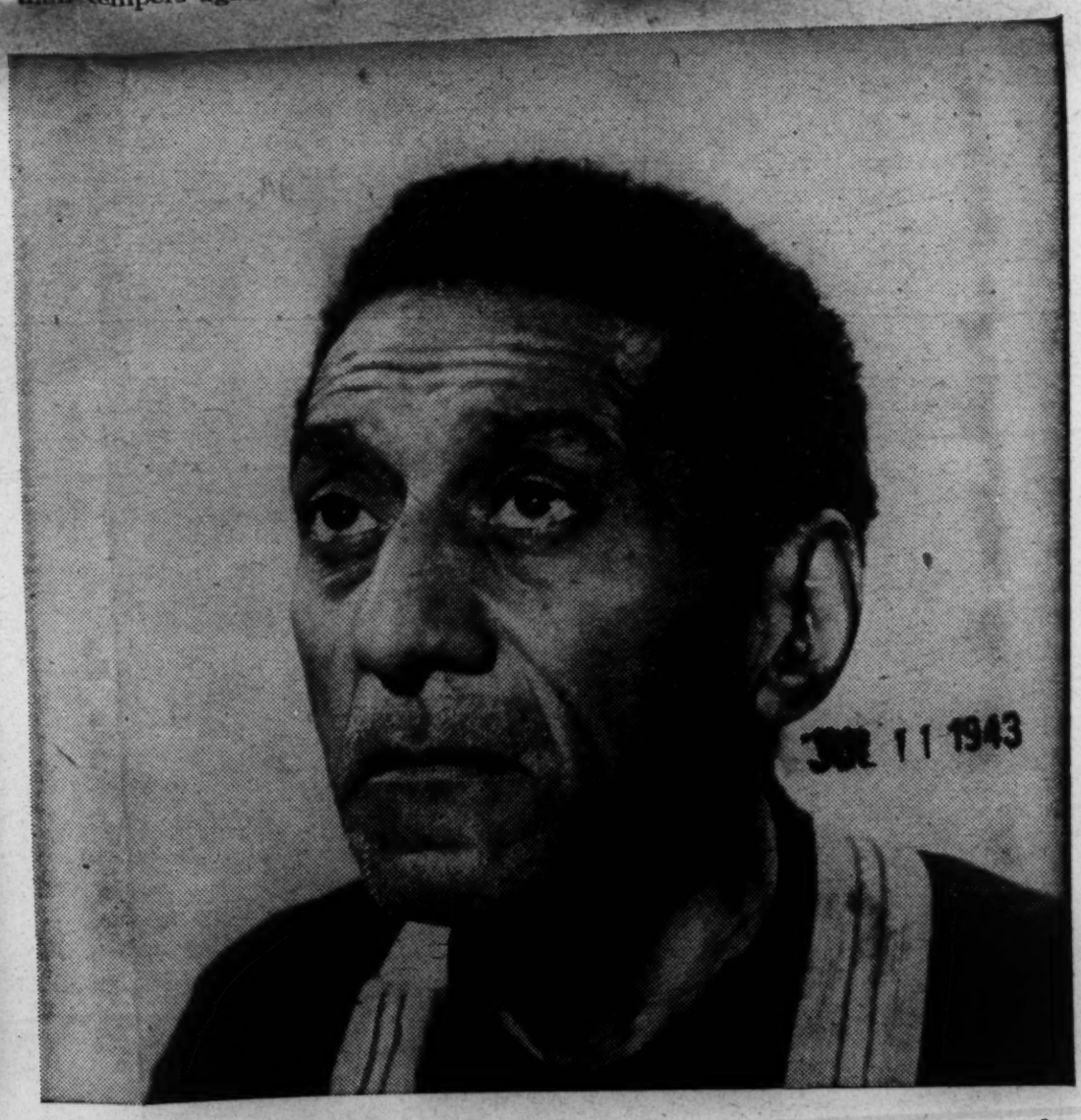
THE DEPUTY SHERIFF, Mapes (Dick Rich), is a bully. He represents the kind of policeman to whom power means much and justice means nothing at all. While the real sheriff, Risley, is away investigating Kinkaid's alleged killing, Mapes takes command. Illegally he deputizes the mob in the little town as a posse and rides out at its head, taking an active and brutal part in the lynching.



LARRY KINKAID'S BUDDY, Farnley (Marc Lawrence), is an honest man but hot-tempered and motivated by a passion to avenge his friend's death. When the pleas of the Judge and the storekeeper have almost persuaded the mob to abandon its hunt until the sheriff returns to organize a legal posse, Farnley inflames their tempers again and sends them into the hills looking for blood.



A MYSTERIOUS SOUTHERN GENTLEMAN, Tetley (Frank Conroy) lives alone in the town's largest house with a hypersensitive son whom he considers a weakling. When the mob begins to form, Tetley comes down from his house in an old Confederate uniform. Because of this mark of authority the crowd accepts him as leader, and throughout the night he keeps the passions of the mob at high heat.



THE VILLAGE HANDYMAN, Sparks (Leigh Whipper), speaks out against the lynching but goes along to pray for the men who will die. He says: "Ah sure wish we was well out of this man's taking upon himself the Lord's vengeance. . . . Ah saw mah own brother lynched. Ah was just a little fella—but sometimes Ah still wakes up dreaming about it."

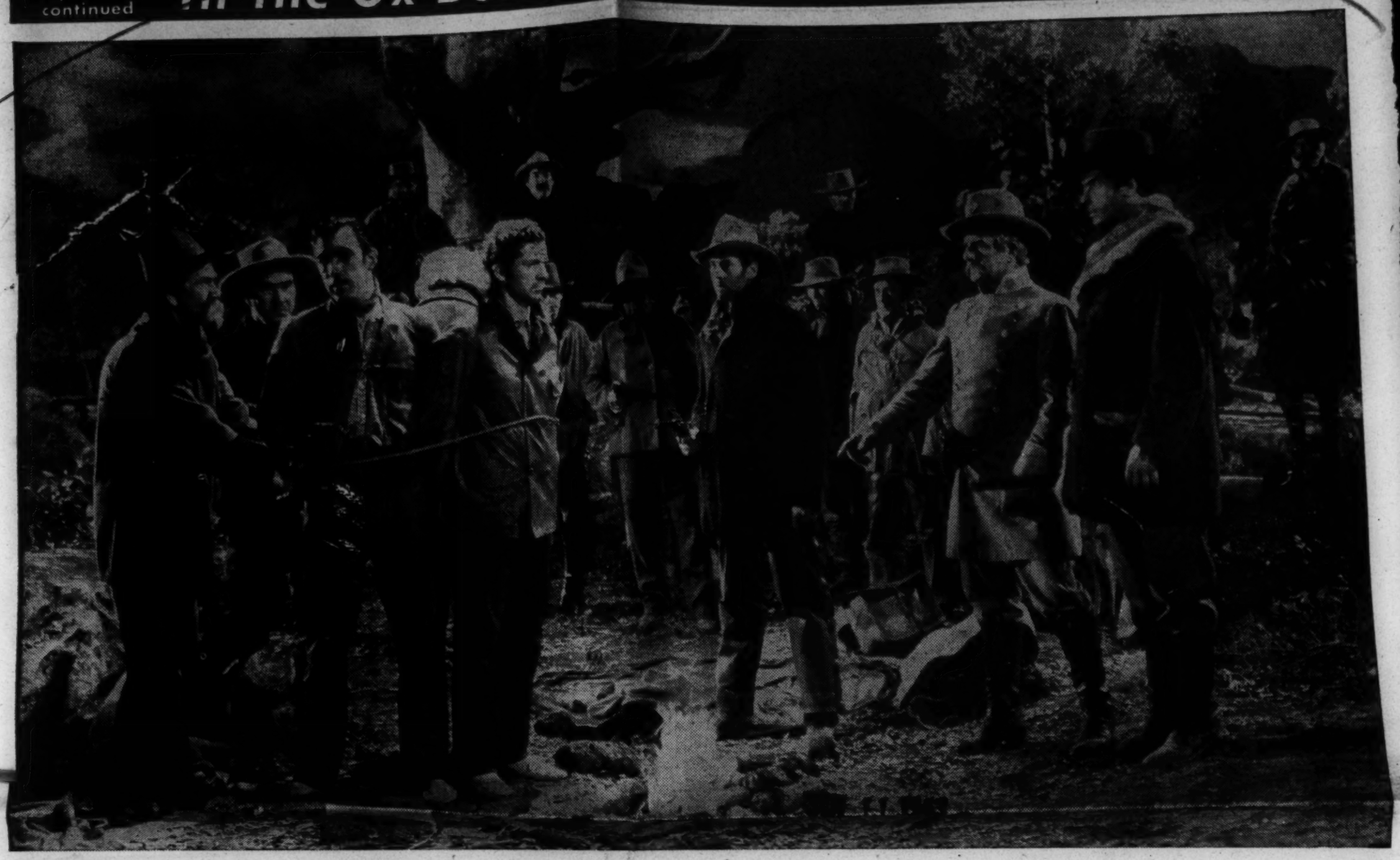
Continued on next page 5

TUSKEGEE INSTITUTE

NEWS CLIPPINGS FILE

Lynching continued

In the Ox-Bow valley the mob finds its victims



THE MOB HAS FOUND ITS PREY—three strangers camped out in the Ox-Bow valley —and ties them up together, center above. The men are a Mexican (Anthony Quinn), wanted for murder; Martin (Dana Andrews), a young American; and a doddering old man (Francis Ford). There is strong circumstantial evidence against the three men. The young American pleads for time to prove that the evidence is misleading, but the passions of the mob have gained a momentum that is beyond the power of any one man to stop. Some of the mobsters are bloodthirsty, others are afraid of appearing unmanly, others just string along with the majority. The real villain of the story is not a person but the mob's lack of respect for the legal methods of accomplishing justice.

JUL 11 1943

THE LAST HOURS are spent by Martin in writing to his wife, the mother of his two children. It is clear that he knows a fair trial would prove his innocence. He believes that only conscientious respect for law will keep angry men from committing mob crimes.

JUL 11 1943

The letter written by one of

My dear wife:

Mr. Davies will tell you what is happening here tonight. He's a good man and has done everything he can for me. I suppose there are some other good men here too, only they don't seem to realize what they're doing. They're the ones I feel sorry for, because it'll be over for me in a little while, but they'll have to go on remembering for the rest of their lives.

A man just naturally can't take the law into his own hands and hang people without hurting everybody in the world, because then he's not just breaking one law

JUL 11 1943

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0833

The Crime of Mob Murder

A Challenge to Every American Citizen

"We especially urge that everything possible be done to prevent lynchings, which are no less a disgrace to those who engage in them than they are an outrage upon the helpless victim."—*College of Bishops, M. E. Church, South.*

COMMISSION ON INTERRACIAL COOPERATION
710 Standard Building, Atlanta, Ga.

THE CRIME OF

Recent careful studies of the lynching record reveal the following startling facts:

1. *Nine of the 84 persons lynched in the past five years, or eleven per cent, were not even accused of crime.* Here are a few typical cases: Last October near Moultrie, Georgia, "Bo" Brinson, not charged with any offense, was murdered in his home by a mob looking for another Negro accused of murder. In Baker County, Georgia, in June, 1933, a white bootlegger was killed at a Negro dance; when the killer could not be found, two unaccused Negroes were lynched as object lessons. In November, 1933, George Greene, farm tenant of Greenville County, South Carolina, was shot to death in his home by a masked mob, for no apparent reason except that he had repeatedly asked for a settlement for his crop.

2. *Many others equally innocent have been lynched because of unfounded suspicion, false accusation, and mistaken identity.* It is not the nature of the mob to weigh evidence and wait for proof. Thus Emmanuel McCallum, taken from his bed and hanged by a mob at Hattiesburg, Mississippi, was completely cleared of suspicion by a white jury which investigated the lynching next day; he was industrious, law-abiding, and wholly innocent of the charge, said this jury. In this way hundreds of innocent men and women have been hurried to their death, without a chance to prove their innocence.

Others Lynched for Minor Offenses

3. *Another large proportion of mob victims have been accused only of minor offenses, some of them even trivial.* In the eighty-four lynchings of the past five years, twenty-five of the victims were in this class, or about thirty per cent. Approximately the same proportion runs through the records of the last fifty-four years. Arguing with a white man, talking disrespectfully, stealing liquor, slapping a woman, threatening to break into a house, drawing gun on a sheriff—even "not knowing his place" and "failing to turn out of the road"—are found among the offenses for which hundreds have been lynched. Thus it appears that in a large proportion of lynchings—forty per cent or more—there was not even a pretext for inflicting the death penalty.

4. *Numbers of Negroes who were lynched for homicide* (and this charge covered more cases than any other, or 37 per cent of the total) *were found to have killed in self-defense.* Had they been white men they would have been held guiltless. A conspicuous case of this kind, that of Elwood Higginbotham, took place at Oxford, Mississippi, in September 1935. A white man went to Higginbotham's house at night, broke down two doors and with a drawn pistol cornered the Negro in his bedroom. There Higginbotham shot him to death. When the Negro was brought to trial the evidence of self-defense was so conclusive that the jury appeared unwilling to send him to the chair; so the mob stormed the jail and lynched him while the jury still deliberated. The case of William Kinsey, earlier lynched at Warrenton, Georgia, was clearly of the same character; he had killed a man who was attacking and firing upon his home.

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By ten year period
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"The Usual Crime"

5. *Assaults upon women, actual or attempted*—"the usual crime" commonly supposed to be the chief occasion of lynching—*were charged in only one-fourth of the lynchings of the past five years.* For the entire fifty-four years the proportion of such charges was only twenty-three per cent. And that figure includes numbers of victims later found to have been falsely accused. Often the mere suspicion of such a purpose was sufficient to set the mob in

F MOB MURDER

action. Such was the case at La Belle, Fla., in which the newspaper story of the lynching reported that the victim had committed no offense, and that there was no evidence that he had intended to. Somebody became frightened at his presence and screamed; the mob, already vindictive against Negroes because of a tense economic situation, immediately seized the suspect and hurried him to his death without investigation.

6. *Nearly twenty per cent of the persons lynched were found to have been mental defectives,* whom society, for its own protection, should previously have apprehended and confined.

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Lynching Indefensible, Whatever the Cause

But even if all its victims were worthy of death, lynching would still be indefensible. Exalting anarchy above law, it strikes at the very foundations of ordered society. "Every lyncher," said Bishop Charles B. Galloway, "becomes a law-despiser, and every law-despiser is a betrayer of his country."

Arousing primitive blood lust, it makes murderers of those who participate and brutalizes those who look on.

It discounts the civilization and blackens the reputation of any community or section which tolerates it. Other things being equal, nobody would choose a lynching community for his home, or for the location of a business enterprise.

Laws, Courts, and Public Opinion

Though lynching is everywhere a crime, violating the laws against murder, riot, assault, and conspiracy, the courts rarely indict lynchers, more rarely convict, and almost never impose sentences commensurate with the offense. In the past five years indictments were returned in only seven of the eighty-four lynchings; convictions were secured in only three, with a few years' imprisonment as the maximum penalty.

There is no doubt that additional legislation would help, in most states and perhaps nationally. Especially is there need to provide for mandatory change of venue in lynching cases, in order that they may be tried in an atmosphere free from hysteria and intimidation.

Something more fundamental is needed, however. Lynching, like war, roots in the general opinion that it is sometimes necessary and justifiable. Because of this opinion lynchings are accepted and condoned by many good people who themselves would not take part in one. For that reason laws and courts alone will not suffice. Public opinion, the court of last resort, must be brought to the point where it will no longer condone mob violence and protect its perpetrators. And that can be done, not by berating people or even exhorting them, but only by convincing them with the logic of facts.

Church People Have Peculiar Responsibility

Ministers and church people in general have a peculiar responsibility in this matter. Lynchings not only challenge Christianity at home, but are doing more than anything else to hinder and discredit Christian missions around the world. They occur nowhere else, not even among the savages whom we seek to Christianize. Stories of American mobs burning human beings at the stake are published throughout Europe, in Latin America, in the Orient, and even in Africa. The effect in mission lands may easily be imagined. Unless we can Christianize ourselves and our own civilization, we shall not get far with the effort to Christianize others. The eradication of lynching is a good place to begin.

How You Can Help

Doubtless the serious reader is asking, "But what can I do about it?" Here are some suggestions:

1. You can build public opinion by informing yourself about these matters and passing the facts on to others. This applies especially to preachers, Sunday School and public school teachers, leaders of church groups, and editors of newspapers. Don't wait till a lynching takes place to speak out; build a barrier of public opinion against it before an emergency arises. Prevention is better than cure. Inform, instruct, appeal to the intellect as well as to the heart. People can't argue with facts. An abundance of anti-lynching information, suitable for use in sermons, addresses, programs, and classes, is available at little or no cost.

2. Be on the watch for threats of mob violence and act promptly to avert them. If possible, organize in the community a small group of responsible people for this specific purpose. If danger threatens, call on the authorities to uphold the law. Removal of the prisoner and change of venue will often prove effective. If local officers appear indifferent, appeal for protection to those higher up, even to the governor if necessary. In extreme cases exert personal influence on members of the mob. By such means many threatened lynchings have been prevented, in some cases by the efforts of a single man or woman. It is difficult to imagine a greater service that one might render to his community.

It is important that every good citizen—the minister included—cultivate acquaintance with officers of the law if he hopes to wield an effective influence for justice and good government. Contact with one or more responsible Negro leaders is of great importance, also, as a basis of understanding between the two groups and of co-operation for the maintenance of order.

3. If occasion offers, initiate or give support to wise anti-lynching legislation. Among effective measures to this end are provisions for mandatory removal of officers who fail to protect their prisoners, and change of venue in cases involving persons threatened with lynching and those charged with mob violence. The laws of most of the states need strengthening at these and other points.

In America—particularly in the South—there is no issue of greater religious and civic importance than that of the abolition of lynching. The corresponding duty of every religious and civic leader is obvious.

Department
Records and Research

Additional copies of this pamphlet, ten cents per dozen, sixty cents per hundred, post paid. "The Mob Still Rides," a review of the lynching record, 1931-1935, twenty-four pages and cover, ten cents. Ten assorted pamphlets on race relations, four to sixteen pages each, ten cents. "Singers in the Dawn," attractive 24-page anthology of negro poetry, ten cents. Order of

COMMISSION ON INTERRACIAL COOPERATION

710 Standard Building Atlanta, Ga.

37f-1943
The Daily Worker
New York, N. Y.

ILD

7020

31 Noted Americans Join ILD National Committee

Addition of 31 new members to the National Committee of the International Labor Defense, following a national conference of the organization held last month, was announced yesterday by Congressman Vito Marcantonio, who was re-elected president of the I.L.D.

The new members elected to the committee are:

Charlotte A. Bass, editor, The California Eagle, Los Angeles; Warren K. Billings, San Francisco; Paul Boulet, Cooks, Pastry Cooks and Assistants Union, Local 44, San Francisco; Louis E. Burnham, organizational secretary, Southern Negro Youth Conference, Birmingham, Ala.; Dr. Pedro Albizu Campos, president, Nationalist Party of Puerto Rico; Charles Collins, executive secretary, Negro Labor Victory Committee, New York;

James Conroy, president, Local 430, United Electrical, Radio and Machine Workers, New York; Juan Antonio Corretjer, secretary, Nationalist Party of Puerto Rico; Thelma Dale, administrative secretary, National Negro Congress; W. J. Decker, secretary, National Negro Congress; W. J. Decker, secretary, San Diego, Calif., Industrial Union Council; Graham Dolsen, editor, "The Union," Denver, Colo.; Frank Dutto, secretary, Local 1, Bakery Workers, New York; C. G. Edelen, president, Local 51, United Automobile Workers, Detroit, Mich.; Dorothy K. Funn, administrative secretary, Negro Labor Victory Committee, New York;

[illegible], president, International Fur and Leather Workers Union, New York; John Goodman, secretary-treasurer, Local 144, Hotel and Club Service, New York; Donald Henderson, president, United Cannery, Agricultural, Packing and Allied Workers, Philadelphia; Katherine Hoffman, administrative secretary, Newark Industrial Union Council; Assemblyman Hulan E. Jack, New York;

Joseph F. Jurich, president, International Fishermen and Allied Workers of America, Seattle; Alfred G. Larke, secretary, Greater Buffalo (N.Y.) Industrial Union Council; John D. Masso, business representative, Glass Bevelers Local 208, New York; Hollis G. Mauney, business agent, Ship Scalers Union 538, Seattle; Terry Pettus,

secretary, Washington Commonwealth Federation Seattle; Jack Raskin, secretary Civil Rights Federation, Detroit, Mich.; Bernard F. Reiss, president, New York College Teachers Union; C. LeBron Simmons, secretary, National Negro Congress, Detroit; Ferdinand C. Smith, secretary, National Maritime Union, New York; Robert G. Travis, vice-president, Illinois State Industrial Union Council; Moran W. Weston, Dept. of Civil Liberties, IBPOEW, New York;

Vito Marcantonio, president, Doxey A. Wilkerson, vice-president, Anna Damon, secretary, and Robert W. Dunn, treasurer of the I.L.D. were unanimously re-elected by the Conference.

JUL 22 1943

JUL 22 1943

JUL 22 1943

7024

The FBI Continues To Move Against Mob Law

UNDAUNTED by its failure to secure convictions under similar circumstances in previous instances the Department of Justice goes merrily along on its way toward the objective of enforcing the Federal Civil Rights statutes.

Adhering to the pattern of prosecution already set in at least two other instances, the Federal Bureau of Investigation has again intervened to punish mob action and, as a result, 13 persons, including a former sheriff and three ex-deputy sheriffs, have been indicted by a Federal grand jury at East St. Louis, Illinois, on charges of conspiring to violate the civil rights statutes in the lynching of James Edward Person near Paris, Illinois, last fall.

Persons who are inclined to feel discouraged by the failure of such efforts to produce the desired results can take renewed hope in this latest move by the Department of Justice. The mere fact that the FBI is being sent into any community where a lynching occurs, to investigate it, and that alleged mobsters are being smoked out into the open and haled into court is certain to have a wholesome and salutary effect upon the future conduct of irresponsible hoodlums who would take advantage of the shortage of law enforcement officers to take the law into their own hands.

The Journal and Guide has always believed that the Federal government had the full right to intervene in lynchings since mob law in taking the life of a victim, deprives him of all the rights and processes guaranteed by the Constitution of the United States. The law of averages being what it is there is no doubt but that a conviction will follow the indictment and trial of some mobster or gang of mobsters before too many months have passed.

Lynchers Can Be Punished

Courier, Pittsburgh, Pa.

JUL 24 1943

The Department of Justice is finally demonstrating that there is enough law on the Federal books to track down and punish lynchers without encroaching on State's rights.

Recently the Attorney General announced the indictment of 13 persons, including a former sheriff and three former deputy sheriffs of Vigo County, Ind., on charges of conspiring to violate the Civil Rights statutes in the lynching of a colored man near Paris, Ill., on October 12.

The men were arraigned at Danville, Ill., and are being held in $2,000 bond each.

The crime of which these men are accused was a particularly heinous one, the victim being James E. Person, a man who had served in this war, been honorably discharged, had committed no offense and there was no warrant out for his arrest.

The maximum penalty for this crime is two years' imprisonment and $5,000 fine. This is a small penalty for persuading a mob to hunt down and kill a man peaceably making his way through the countryside and molesting no one, but it is better than no penalty at all, and should serve as a deterrent to other lynch-minded citizens.

Considering the locality in which the crime occurred, there is a fair chance that the men will be convicted if their guilt is proved beyond doubt . . . to the satisfaction of the Federal jury.

In view of the attitude of the Federal grand juries in similar cases tried in St. Louis, Mo., and Hattiesburg, Miss., however, there is always a probability that such juries in lynching territories will be equally indulgent despite the evidence gathered by the Department of Justice.

For this reason, an anti-lynching law, punishing negligent officers and fining lynch counties, seems as imperative as ever.

After all, the Federal Government cannot FORCE Federal juries to convict lynchers if they do not want to do it; but given an anti-lynching law, it can punish sheriffs and deputies and fine counties whose negligence can be proved.

7022

Washington Tribune
Washington, D. C.

The Law Catches Up With Georgia Justice; Grand Jury Indicts Sheriff

APR 17 1943

Three law enforcement officers were indicted by a Federal grand jury at Macon, Ga., on charges of violating the Federal Civil Rights statutes in connection with the slaying of Robert Hall last January 23.

APR 17 1943

Attorney General Francis Biddle announced the indictment which names Sheriff M. Claude Screws, Deputy Sheriff Jim Bob Kelley, and Frank Edward Jones, policeman, all of Newton, Baker County, Ga.

APR 17 1943

The indictment charges that the three men arrested Hall about midnight, January 23, and took him to the County Court, where he was beaten into insensibility. He died the same night in a hospital.

APR 17 1943

Three counts in the indictment carry a maximum penalty of 13 years' imprisonment and a $16,000 fine.

APR 17 1943

Washington Tribune
Washington, D. C.

Youth Congress Demands Governor Act in Lynching

FEB 20 1943

BIRMINGHAM, Ala. — The Southern Negro Youth Congress urged Georgia's Governor Ellis Arnall to see that the murderers of Bobbie Hall, Negro mechanic of Baker County, be meted out "a severe and exemplative punishment."

FEB 20 1943

Bobbie Hall was kidnapped and murdered on the night of January 29 by Sheriff Claude Screws and Policeman Frank Jones of Newton, Ga.

FEB 20 1943

Washington Tribune
Washington, D. C.

Arnall Asked to Remove Sheriff and Arrest Him For Murder in Lynching

FEB 27 1943

NEW ... N.Y. — The ... rest and prosecution on charge of murder of Sheriff Claude Screws and Night Policeman Frank Jones for the lynching of Robert Hall at Newton, Georgia, January 29, was demanded this week by the National Association for the Advancement of Colored People in a letter to Governor Ellis Arnall. Arnall was asked to remove Screws from office pending action against him.

FEB 27 1943

The Plaindealer
Kansas City, Kan.

COPS MUST FACE TRIAL; NEGRO SERVES ON JURY

APR 16 1943

Washington. — It was learned this week that the Department of Justice through an all-Georgia Federal Grand Jury got a speedy indictment against police officials involved in the Nation's first lynching.

APR 16 1943

Attorney General Francis Biddle announced that a federal grand jury at Macan, Ga., returned an indictment on three counts charging two Baker county law officers and a Newton (Ga) city policeman with violation of the federal civil rights statutes in the killing of Robert Hall, a Negro, on the night of January 23.

Named as defendants in the indictment were the following, all of Newton, Ga.:

M. Claude Screws, sheriff, and Jim Bob Kelley, deputy sheriff of Baker county, Ga., and Frank Edward Jones, Newton city police officer.

APR 16 1943

The indictment charges that about midnight on January 23, the defendants arrested Hall at his home and transported him to the Court House Square, in Newton, where they beat him into insensibility. It is charged in the indictment that Hall died the same night, shortly after being taken to a hospital at Albany, Ga.

Act Under U. S. Code.

The indictment was returned late Friday by a Federal grand jury which included a Negro in its 23-member panel. The body heard testimony all day, convening at 10 a. m., and adjourning at 7:30 p. m.

Twenty-nine witnesses were heard, six of them Negroes. Among these were Hall's widow and his father and the ambulance driver who picked him up at the jail. The undertaker to whom he was taken after death was pronounced was also among those testifying.

APR 16 1943

The three counts of the indictment specifically charge violation of Section 51, 52 and 88, Title 18, U. S. Code, carrying a combined maximum penalty of 13 years' imprisonment and $16,000 in fines. Section 88 penalizes conspiracy to violate Section 52 (depriving persons of their civil rights under the color of state law), while Section 51 punishes conspiracy to injure persons in the exercise of their civil rights.

The case, which was based upon results of an investigation by the FBI, was presented to the grand jury by T. Hoyt Davis, U. S. attorney for the middle district of Georgia, and G. Maynard Smith, special assistant to the attorney general.

APR 16 1943

Commenting on the indictments, Victor W. Rothem, chief of the department's civil rights section, said:

APR 16 1943

"The first and only mob killing of 1943 is being promptly prosecuted and so neither Nazi nor Jap propagandists have had opportunity to make international capital of this unfortunate offense.

"The Federal Bureau of Investigation with the cooperation of law enforcement officers of the state of George, as authorized by Governor Ellis Arnall, investigated the case with thoroughness and dispatch. Twenty-three jurors—all citizens of Georgia, from the district of the crime, voted a true bill.

APR 16 1943

"The case was presented to the grand jury by two Georgia lawyers, T. Hoyt Davis, United States attorney, and G. Maynard Smith, special assistant, formerly the city solicitor of Cairo, Ga. Georgia citizens as grand jurors and Georgia lawyers came to prompt and unanimous agreement that a federal law had been violated. The grand jury was under the supervision of a federal district judge, a citizen and member of the bar of Georgia.

APR 16 1943

"The case will come on trial at the earliest opportunity."

Afro-American
Baltimore, Md.

Ga. Officers Indicted in Prisoner's Death

APR 17 1943

MACON, Ga.—A Federal grand jury on Saturday indicted three white peace officers in connection with the killing of Robert Hall of Newton, Ga., on the night of January 23.

The indictments, charging violations of civil rights statutes, name Sheriff M. Claude Screws, Deputy Sheriff J. B. Kelley, both of Baker County, and Frank E. Jones, city policeman of Newton.

The three are accused of beating Hall into insensibility at the Court House Square in Newton after placing him under arrest at his home about midnight. Hall died the same night at an Albany hospital.

APR 17 1943

"Year's First Mob Killing"

His death was characterized as the "year's first mob killing" by Victor W. Rotnem, chief of the civil rights section of the U.S. Department of Justice.

Mr. Rotnem commented on the fact that the two U.S. attorneys who sought the indictments, the twenty-three grand jurors who returned them and the supervising Federal district judge are all Georgia citizens, and said their prompt action would foil any aims of Nazi or Jap propagandists in connection with the "unfortunate offense."

APR 17 1943

Heavy Penalties Possible

The alleged violations involve provisions against depriving persons of their civil rights under color of State law, conspiracy to violate that provision, and conspiracy to injure persons in the exercise of their civil rights. Combined maximum penalties are thirteen years' imprisonment and $16,000 in fines.

APR 17 1943

Investigation of the case was directed by the FBI, with State law-enforcement officers co-operating under authorization from Gov. Ellis Arnall.

2 MORE DIXIE LAW OFFICERS FACE TRIAL

APR 18 1943

WASHINGTON, D. C., April 15.—Shattering the nation's long-established custom of "whitewashing" Dixie's mob slaying, the Department of Justice this week indicted three Georgia law-enforcement officials, one of them a sheriff in a federal grand jury investigation of the brutal lynching of a Macon, Ga., Negro 23-year-old Robert Hall.

APR 17 1943

The federal grand jury, one of whose 23 members was a Negro, moved swiftly late Friday night to fix responsibility in the nation's first lynching in 1943.

Attorney General Francis Biddle announced that a federal grand jury at Macon had returned an indictment on three counts, charging two Baker County law officers and a Newton, Ga., city policeman with violation of the federal civil rights statutes in the killing of Robert Hall, a Negro, on the night of January 23, 1943.

Named as defendants in the indictment were the following, all of Newton, Ga.:

M. Claude Screws, sheriff, and Jim Bob Kelley, deputy sheriff, of Baker County, Ga., and Frank Edward Jones, Newton city police officer.

APR 18 1943

The federal grand jury was in session all day Friday, the jurors hearing testimony from 10

...ents, Victor W. Rotnem, chief of the department's civil rights section, said:

APR 16 1943

"The first and only mob killing of 1943 is being promptly prosecuted and so neither Nazi nor Jap propagandists have had opportunity to make international capital of this unfortunate offense. The Federal Bureau of Investigation, with the co-operation of law enforcement officers of the State of Georgia, as authorized by Governor Ellis Arnall, investigated the case with thoroughness and dispatch. Twenty-three grand jurors—all citizens of Georgia, from the district of the crime, voted a true bill.

APR 16 1943

"The case was presented to the grand jury by two Georgia lawyers, T. Hoyt Davis, United States attorney, and G. Maynard Smith, special assistant, formerly the city solicitor of Cairo, Ga., Georgia citizens as grand jurors and Georgia lawyers came to prompt and unanimous agreement that a federal law had been violated. The grand jury was under the supervision of a federal district judge, a citizen and member of the Bar of Georgia.

APR 16 1943

"The case will come on trial at the earliest opportunity."

Sheriff, Policeman Accused

APR 16 1943

Negro Serves As Member of Grand Jury

APR 16 1943

WASHINGTON — Attorney General Francis Biddle announced this week that a federal grand jury at Macon, Ga., returned an indictment on three counts April 6 charging two Baker county (Ga.) officers and Newton (Ga.) policeman with violation of federal civil rights statutes in the killing of Robert Hall on the

Named as defendants in the indictment were the following, all of Newton, Ga.: M. Claude ... and Jim Bob Kel-

...ley, deputy sheriff, of Baker County, Ga., and Frank Edward Jones, Newton city police officer.

The indictment charges that about midnight on Jan. 23, the defendants arrested Hall at his home and transported him to the court house square in Newton, where they beat him into insensibility. It is charged in the indictment that Hall died the same night shortly after being taken to a hospital at Albany, Ga.

A Negro served as one of the 23 members of the grand jury which returned the indictments.

Twenty-nine witnesses, six of them Negroes, gave testimony in the case. Hall's widow, his father, the ambulance driver who picked up the mangled body and the undertaker were among the Negro witnesses.

APR 16 1943

THREE COUNTS

The three counts of the indictment specifically charge violation of Section 51, 52, and 88, Title 18, U. S. Code, carrying a combined maximum penalty of thirteen years imprisonment and $16,000 in fines. Section 88 penalizes conspiracy to violate Section 52 (depriving persons of their civil rights under the color of state law), while Section 51 punishes conspiracy to injure persons in the exercise of their civil rights.

APR 16 1943

The case, which was based upon results of an investigation by the FBI, was presented to the grand jury by T. Hoyt Davis, U. S. attorney for the middle district of Georgia and G. Maynard Smith, special assistant to the attorney general.

APR 16 1943

NEGRO ON JURY

Commenting on the indictments, Victor W. Rotnem, chief of the justice department's civil rights section, said:

"The first and only mob killing of 1943 is being promptly prosecuted and so neither Nazi nor Jap propagandists have had opportunity to make international capital of this unfortunate offense. The Federal Bureau of Investigation with the cooperation of law enforcement officers of the state of Georgia, as authorized by Governor Ellis Arnall, investigated the case with thoroughness and dispatch. Twenty-three grand jurors—all citizens of Georgia, from the district of the crime, voted a true bill.

"The case was presented to the grand jury by two Georgia lawyers, T. Hoyt Davis, United States Attorney, and G. Maynard Smith, special assistant, formerly the city solicitor of Cairo, Ga. Georgia citizens as grand jurors and Georgia lawyers came to prompt and unanimous agreement that a federal law had been violated. The grand jury was under the supervision of a federal district judge, a citizen and member of the bar of Georgia.

APR 16 1943

"The case will come on trial at the earliest opportunity."

Indict Sheriff For Lynching

Atlanta Daily World

MACON, Ga.—(SNS)—A federal grand jury late Friday indicted Sheriff M. Claude Screws, of Baker county, and two other officers on charges of fatally beating a colored prisoner, 29-year-old Robert Hall.

Named in the indictment with the sheriff were Deputy Sheriff Jim Bob Kelley and Frank Edward Jones, Newton County policeman.

The three men are accused of violating federal civil rights statutes.

BEATEN TO DEATH

The indictment charges that during the latter part of January the defendants arrested Hall at his home, transported him to the courthouse square in Newton, and there beat him into insensibility. It is charged that Hall died the same night after being taken to a hospital in Albany, Georgia.

The three counts of the indictment carry a combined maximum penalty of 13 years imprisonment and $16,000 fine.

The case followed an investigation by the FBI. It was presented to the grand jury by T. Hoyt Davis, United States attorney for the middle district of Georgia, and G. Maynard Smith, special assistant to the attorney general.

Behind the death of Hall was an alleged forgery of a warrant and a midnight abduction.

WARRANT "FAKED"

Hall was arrested on the night of January 29, after he had been forced out of his bed on automobile theft charges contained in a "fake warrant" served by Sheriff Screws and Policeman Jones.

Positive proof that the warrant was a fake came to light immediately after the fatal beating when John C. Derm, owner of a truck from which a tire was allegedly stolen. Derm said no tire had been removed from his truck and that he had not preferred charges against Hall. Derm's testimony was corroborated by his brother, George C. Derm.

The federal grand jury was in session all day Friday, the jurors hearing testimony in the case from 10 a. m. until 7:30 p. m.

Twenty-nine witnesses, six of them colored, were reported to have testified before the grand jury. Numbered among the jurors was one colored man.

FATHER, WIDOW TESTIFY

Hall's widow and his father were among the colored witnesses who appeared before the federal grand jury.

Although arrested around 12 p.m. January 29, it was not until 2:30 o'clock the following morning that events in the case were bared. An Albany funeral home answered a call to Newton to pick up a man reported "beaten up by the sheriff."

Ambulance attendants removed the battered victim from a jail and rushed him to a hospital in Albany. Hall died a few minutes after being admitted.

The ambulance attendants quoted the jailer at Newton as saying Hall had been beaten before reaching the jail.

DRAGGED BEHIND CAR

The body bore 21 abrasions and contusions, and deep cuts in the wrists, leading observers to believe that he had been tied behind an automobile and dragged over rough ground.

The back of his head had been beaten to a soft pulp.

Motive for the attack was supplied by several white Baker county residents. Sheriff Screws, it was disclosed, had become angry with Hall after Hall appeared before the county grand jury to recover a pistol which was removed from a pocket of his automobile by the sheriff.

Chicago Bee
Chicago, Illinois

Free Lynch Sheriff, 2 On $7500 Bond

MACON, Ga. April 22, (ANP) —Bonds of $7,500 each were posted in federal court here Tuesday by Sheriff M. Claude Screws of Baker county and two other officers, under indictments on charges of lynching Robert Hall.

APR 25 1943

Deputy United States Marshal W. M. Hunter said he had arrested Screws, one of his deputies, Jim Bob Kelley, and a Newton county policeman, Frank Edward Jones, earlier Tuesday and brought them before U.S. Deputy Clerk C. Cull Campbell Jr. who set bond.

All of the men are accused of violating federal civil rights statutes in the fatal beating of Hall, reportedly arrested on a fake warrant. The indictment charges that on or about midnight, January 23, the defendants arrested Hall at his home, transported him to the Newton county courthouse square, and beat him into insensibility. Hall died later the same night after being taken to a hospital in Albany.

APR 25 1943

Several days after the fatal beating, Sheriff Screws issued a statement contending that officers had struck Hall in self-defense after he had attacked them with a shotgun. Still a mystery was how Hall could have made the attack while handcuffed.

No date for the trial of the officers has set.

APR 25 1943

Three Years, $1,000 Fine Given Lynchers

Daily World
Atlanta, Georgia

ALBANY, Ga.—(S N S)—Convicted of violating civil liberties statutes in the death of Robert Hall last January, Sheriff M. Claude Screws in trying to recover a pistol the latter had taken from the sheriff's car, which the Baker grand jury had ordered restored. The sheriff then dragged to the courthouse square, where prisoner was then beaten into insensibility. Hall died the next day. The sheriff claimed the death occurring while he had incurred the anger of self-defense and resistance of the

Jim Bob Kelley, a special deputy, and Frank Edward Jones, former Newton, Ga., policeman, were under sentence of three years and $1,000 fines each. The two were sentenced by Judge ... who followed the ... of a seven-man jury ... each to one year and a $1,000 fine on the charge of conspiracy to deprive Hall of his civil rights, and to two years' imprisonment on the conspiracy count, the sentences to be served consecutively.

According to testimony, Hall was arrested on a forged warrant after

7023

LYNCH SHERIFF ATTACKS FEDERAL CONVICTION

Courier Pittsburgh, Pa

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NEW ORLEAN, La.—(ANP) — The same old state's rights argument raised by Southerners when a situation involving Negroes arises was used by attorneys for Sheriff M. Claud Screws Wednesday in seeking a new trial for the Baker county peace officer convicted in federal court on charges that he had violated the civil liberties of 29-year-old Robert Hall, who last January 29, was abducted and lynched.

The appeal argument was heard by the United States fifth circuit court of appeals here.

URGES STATE TRIAL

"It is either a case of murder or justifiable homicide and should be tried in the state courts," said J. F. Kemp, of Atlanta, counsel for Screws and two other peace officers, Deputy Sheriff Jim Bob Kelly, and a Newton, Ga., policeman, Frank Edward Jones, each of whom was sentenced to serve three years in the federal prison at Atlanta and fined $1,000.

The federal attorneys argued in their briefs in favor of jurisdiction on the grounds that Screws was a state officer by virtue of his office of sheriff.

The trio was convicted on October 7 in a federal district court at Albany, Ga. All three are now at liberty under $2,000 bonds each.

courts had jurisdiction because Screws as sheriff was a state officer, and that Judge Deaver did not abuse his discretionary powers in denying bail. All three convicted men are being held without bail in the Camilla jail, awaiting outcome of their appeal motions.

Lynch Sheriff Seeks Release In Bail Motion

Defender Chicago, Ill

ATLANTA—(ANP) — The Fifth United States Circuit Court of Appeals Wednesday took under advisement a motion [illegible] for Sheriff M. Claud Screws of Baker county and two others convicted and sentenced in connection with the midnight abduction and lynching of 29-year-old Robert Hall.

Sheriff Screws, Frank Edward Jones, a Newton, Ga., policeman, and Deputy Sheriff Jim Bob Kelly were convicted in the U. S. Middle District court at Albany on Oct. 7. Judge Bascom Deaver sentenced them to three years imprisonment and fined each $1,000, the maximum penalty.

The appeal motion was argued before the Circuit Court by J. F. Kemp, Atlanta attorney, while U. S. Dist. Atty. T. Hoyt Davis of Macon opposed it.

Kemp contended that the federal court lacked jurisdiction, and that the case should have been brought in a state court, and that therefore bail should be granted.

Davis argued that the federal

Prison Terms Given Three Men Accused Of Being Lynchers

Globe and Independent
Nashville, Tenn.

Federal Jury At Albany Deliberates Nearly 6 Hours Before Giving Verdict

By Cliff Kay

ALBANY, Ga., Oct. 14.—(ANP)—An all white jury late Thursday returned a verdict of guilty against Sheriff Claude M. Screws of Baker county, Frank Edward Jones, former member of the Newton, Ga. police force and Jim Bob Kelly, special deputy in the January abduction and lynching of 29-year-old Robert Hall.

The verdict, which held the three white defendants guilty on two separate counts, was returned after deliberation of five hours and 50 minutes.

The first count charged them with acting to deprive Hall of his life without due process of law and carries a sentence of one year and a $1,000 fine. The second of conspiracy carries a sentence of two years and no fine. Both counts are violations of federal civil liberties laws.

A dramatic highlight of the four day trial held before U. S. District Judge Bascom Weaver came Thursday when James P. Willingham, white, a former resident of Newton where the slaying occurred was brought into the courtroom on a stretcher. Willingham disclosed that he had but recently been released from the hospital and was appearing against his doctor's orders.

Lying flat on his back, the witness described in detail a conversation he had with the defendant, Frank Jones, the morning following the fatal nocturnal beating of young Hall.

Willingham stated that he had asked Jones what happened that night, and Jones told him that "Hall had a mighty good pistol and we took it away from him. He got smartt and went to the grand jury and hired a lawyer, so we arrested him on a warrant last night."

Jones was further quoted by Willingham as saying, "We put handcuffs on him and when he started talking about bail we whipped him. We brought him back to the well and whipped him some more."

Willingham said Jones told him that Hall had attempted to shoot the officers. The witness said he asked Jones how was it that Hall attempted to shoot a gun if he were handcuffed. Jones replied, according to the witness, "we did a good job."

The government placed Hubert L. Davis, FBI handwriting expert on the stand, in an effort to prove the warrant Sheriff Screws used to effect Hall's arrest was forged by Sheriff Screws himself and was not issued by the justice of the peace as the defense claimed.

Davis testified that a specimen of Sheriff Screws' handwriting obtained by FBI agent W. H. Crawford and that on the warrant were identical.

Screws took the stand in his own defense Thursday morning and reiterated his original contention that the attack he and his fellow officers made on Hall was in self defense. "Hall plunged towards me with a shotgun, gentlemen," he told the jury, "I dodged it and we beat him."

The seriff disputing a string of witnesses called by the government, denied that Hall was handcuffed at the time he fell victim to murderous assault at the hands of the officers.

Appealing to the jurors to free him, he sought to justify his beating of Hall to death by asserting, "You gentlemen know how biggety these darkies are gittin' nowadays."

"It says here that thousands of bacteria can live on the point of a needle."

"What a strange diet."

Globe and Independent
Nashville, Tenn.

U. S. Puts Strong Witnesses On Stand To Prove Lawlessness Of Three Mobsters

ALBANY, Ga., Oct. 14—(ANP)—How Baker county peace officers closed their ears to the pitiful pleadings of 29-year-old Robert Hall, as they fatally beat him on the night of January 29th was described to a federal jury here Wednesday by a procession of white and Negro witnesses called by the government to support its case against Sheriff M. Claude Screws, and Frank Jones and Jim Bob Kelly, police officers.

The peace officers are charged with violation of the federal civil rights statutes. The indictment charges that the trio brought Hall, arrested at his home on a fake warrant charging him with the theft of a tire that was never stolen, to the courthouse square in Newton and beat him into insensibility. Hall was later pronounced dead on his arrival at a local hospital.

The case is being tried with but 11 jurors, both sides having agreed in advance to continue with less than 12 if any of the jurors, for any reason, had to be excused. The jury is all-white—two colored jurors having been struck by Bob Short, chief counsel for the defense.

Mr. and Mrs. R. [illegible] Bledbetter, white, who [illegible] the scene of the fatal beating, testified Tuesday that they were eyewitnesses to the beating and subsequent dragging of Hall's unconscious body to the jail.

Both stated that the man was beaten until he fell sprawling to the ground and that the beating continued until the beaters evidently tired, whereupon he was [illegible] and dragged across the square to the jail, leaving a trail of blood behind.

E. M. Ellis, Sr., and members of his family, who live within 30 feet of the Baker county jail, testified they were awakened by the noise on the night of the slaying and heard someone yell in a husky voice, "Hit him again." They identified Officers Jones and Kelly as the two men [illegible] dragging a human form into the jail. They also stated they recognized Screws' voice in the melee although they did not actually see the sheriff.

Mrs. Mabel Burke, white, who was spending the night in the jail with her husband stated that she heard the sheriff say to the other two men (Jones and Kelly) "Bring him on in. We have drug him four miles. We might as well drag him on in." She said that the man was bloody and that a pool of blood was left on the floor.

A. B. Edmonds and Mrs. Ollie Jernagin, white, from whom live near the jail told of being awakened by the noise and investigating, only to find Screws, Jones and Kelly in the act of beating a man who was lying on the ground. The sheriff was directing the beating and repeatedly said, "Beat him some more," they said.

Mrs. Mamie White told of a conversation she had with the sheriff before the beating. She stated that Screws watched Hall at work on a car that afternoon and after he had finished and gone, came over to her husband's store and made a purchase, stating, "I'm going to kill that———nigger, because he has already lived two hours too long."

She further stated that the sheriff was plainly under the influence of liquor. Mrs. White rounded out her testimony how Jones had spoken of her looking sick because of having told him that the sight of so much blood had made her sick. She testified she had asked him if blood did not make him sick too and his reply to her was, "I helped spill it and didn't get sick."

Walter Poteat, manager of the Negro funeral home which handled Hall's body, described injuries he said he found on Hall's body when he prepared it for burial. He said that the victim had a fracture skull and the skin had been rubbed off the chest and shoulders.

Mrs. Mary Daniel, white, nurse at the Albany hospital, read a hospital report which stated that Hall's skull had been smashed in and the friction burns were on his body.

Mrs. Mamie White recalled to the stand told of a conversation she had with one of the defendants Special Deputy Kelly, the morning after the slaying. "I remarked," she said, "that it was a shame for anyone to get drunk and kill a Negro without cause."

'Kelly told me I might be talking too much and that I'd better keep quiet if I knew what was good for me."

Hall's father, Will Hall, his wife Mrs. Annie Pearl Hall, were called by the government to describe how their son was abducted by the defendants at midnight on what later proved to be a fake warrant.

Motive for the slaying, testimony disclosed, hinged around a pistol which Hall had attempted to recover from Sheriff Screws. E. M. Ellis, Jr., white, of the Baker county grand jury, which had ordered the sheriff to return the weapon taken from Hall's car, took the stand and told of the belligerent attitude displayed by the sheriff when told to return the pistol. Ellis said that Screws informed him that he not only meant to keep Hall's pistol, but revealed his intention to take any other pistols found in the possession of Negroes. Atty. Robert Culpepper, who had been retained by the slain man, testified that he had written Screws about the return of the pistol and that Screws had received this letter on the day before the fatal beating.

There are more than 100 witnesses to be called and the case is expected to consume more than a week. The sheriff appeared in court wearing dark glasses because of bullet wounds received by him recently at the hands of a white farmer, Dillard White, also of Newton.

Dist. Atty. T. Hoyt Davis of Macon is conducting the prosecution with G. Maynard Smith of Cairo as special assistant. He is further assisted by Special Agents M. B. Calhoun and W. H. Crawford of the Federal Bureau of Investigation, who worked up evidence in the case.

Bob Short of Newton is chief defense counsel and is assisted by Clint W. Hager, former U. S. district attorney; and F. A. Kemp of Atlanta and E. T. Hughes of Camilla.

Amsterdam Star-News
New York, N. Y.

Mixed Witnesses Tell Of Brutal Lynch Act

ALBANY, Ga. (AUP).—How Baker County peace officers closed their ears to the pitiful louteries of 29-year-old Robert Hall, as they fatally beat him on the night of Jan. 29 was described to a federal jury here last week by a procession of white and Negro witnesses called by the government to support its case against Sheriff M. Claude Screws, and Frank Jones and Jim Bob Kelly, police officers.

Peace Officers Accused

The peace officers are charged with violation of federal civil rights statutes. The indictment charges that the trio brought Hall, arrested at his home on a fake warrant charging him with the theft of a tire that was never stolen, to the courthouse square in Newton and beat him into insensibility. Hall was later pronounced dead on his arrival at a local hospital.

Eleven Jurors

The case was tried by 11 jurors, both sides having agreed in advance to continue with less than 12 if any of the juros, for any reason, had to be excused. The jury is all—yhite—two Negro jurors having been struck by Bob Short, chief counsel for the defense.

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Georgia

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SIDELIGHTS ON THE CLAUDE SCREWS TRAIL

Daily World
Atlanta, Ga

By M. S. Page

Sheriff Screws, Frank Edward Jones and Jim Bob Kelley, convicted trio in the midnight slaughter and slaying of Robert Hall, sightless late Thursday evening, as they listened to a federal jury return verdicts of guilty against them.

The jury had been given the case charged by presiding Judge Beaver which will go down in history as the most dramatic and moving document ever to have been given in this section. Exactly five hours and fifty minutes after the charge, the jury returned with a guilty verdict, which sent the three men away in the custody of U. S. Marshal to a Camilla, Ga. jail.

BEFORE PRONOUNCING sentence Judge Deaver asked if defendants had any statement to make. Each of the three stood motionless with no visible signs of emotions. Their wives sat immediately behind them, with only Mrs. Screws shedding an intermittent tear. The Judge pronounced the sentence of three years and One thousands dollars each, against a grey dawn of dusk. Only one man, we don't know who, went over to express a word of sympathy to the convicted trio who sat together.

Screws is a big man, weighing about 200 or more pounds and about 6 feet tall. His chestnut brown hair is close cropped, and surmounts a red, beefy face that reminds one of a prize-fighter. His nose appears to have been broken. His ears stand out prominently and the man chews gum incessantly.

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FRANK EDWARD JONES followed the Sheriff to the witness stand on last Wednesday. Jones is tall, but of a tender build. His hair is thining considerably, although he appears to be young. Like the Sheriff, his face is also red, but not so beefy. His prominent jawbones seem to lend him a belligerent air. And he was the only one of the defendants to be nattily dressed.

Jim Bob Kelley is a short, bald-headed sort of man and one would scarcely single out such a man to be involved in this type of case.

LATE FRIDAY, Robert Short, chief defense counsel announced that he would appeal the verdict of the 11-man jury. Whether this attempt will succeed is not known at this writing. One thing though

It is reliably reported that counsel fee for Screws has amounted to $10,000 up to last Thursday. His two Atlanta lawyers, Clint W. Hager and Frank Kemp, together with Robert Short of Newton, have stood loyally by these men. They have resorted to every trick in the law books to win acquittal for them. They even made passionate appeals to prejudice of race and section, hoping that this might win.

T. HOYT DAVIS of Macon, Ga., drove at telling point Thursday morning, perhaps the most damaging to defense arguments, when he said to the jury: "picture, if you can, a red-faced, ruffled hair-ed, drunken peace officer, beating a poor, law-abiding Negro until he wades in his own blood."

CORRECTING MYSELF, I might add that elation is manifest on the part of most white Baker Countians who attended the trial.

Miracles still happen....

ANSWERING ONE of the puny charges made by defendants that Hall used an epithet, and threatened to kill the Sheriff and others in the arresting party, prosecuting attorney Davis waxed eloquent when he asked the jury to picture a Negro, born and reared in Baker County, having the temerity to curse the Sheriff and other officers armed to the teeth. "There is no evidence presented here to show that Hall tried at anytime to commit suicide," Mr. Davis said, "but that is exactly what such a thing would amount to, and there is scarcely a Negro in any southern community who does not know this," he intoned.

Witnesses Tell Of Hall's Being Fatally Flogged

OCT 7 Daily World

Whites Describe Scene Where Baker Lynching Occurred

Atlanta, Georgia

ALBANY, Ga.—(S N S — The testimony of several witnesses, all white, of Baker County Wednesday described the fatal beating and dragging of Bob Hall on the night of Jan. 29 in the Newton public square. The second day of the trial of M. Claude Screws, sheriff Frank Jones, former Newton policeman, and Jim Bob Kelley, special deputy of Sheriff Screws was taken up entirely by testimony which tended to re-create the events of that fateful night.

E. M. Ellis, Sr., and members of his family, who live within 30 feet of the Baker County jail were awakened by the noise and heard someone say "hit him again" and identified Jones and Kelley as the two men seen dragging a human form into the jail. They also stated that they recognized Screws' voice in the melee although they did not acutally see the sheriff.

Mrs. Mabel Burke who was spending the night in jail with her husband, who was arrested at that time, testified that Jones removed handcuffs from Hall's inert body sometime after he had been placed in jail.

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STATEMENT ON DRAGGING

Mrs. Ollie Edwards, who likewise was spending the night in jail with her husband, stated that she heard the sheriff say to the other two men (Jones and Kelley) "bring him on in, we have drug him four miles, we might as well drag him on in."

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A. B. Edmonds and Mrs. Ollie Kernigan, both of whom live near the square told of being awakened by the noise and investigating, only to find Screws, Jones and Kelley in the act of beating a man who was lying on the ground. The sheriff was directing the beating and repeatedly said "beat him some more."

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Mrs. Mamie White told of a conversation she had with the sheriff before the beating. She stated that Screws watched Hall at work on a car that afternoon and after he had finished and gone home over to her husband's store and made a purchase, stating "I'm going to kill that .... n....r, because he has already lived two hours too long." She further stated that the sheriff was plainly under the influence of liquor. Mrs. White rounded out her testimony by relating how Jones had spoken of her looking sick and of having told him that the sight of so much blood had made her sick. She says she asked him if blood did not make him sick too and his reply to her was, "I helped spill it and didn't get sick."

VICTIM'S KIN TESTIFY

Hall's brother, Will Hall, and wife, Annie Pearl Hall testified also. The latter telling of the arrest of Hall around midnight by Jones claiming that he had a warrant charging him with the theft of an automobile tire. She further stated that Hall denied, at the time of his arrest, that he had stolen any tires. The latter told of having gone into town that morning following his son's arrest and finding one of his shoes lying about and of having followed a trail of blood from the square to the jail-house.

OCT 7 1943

Earlier testimony had shown that Hall's attempt to recover a pistol was the cause of the trouble. E. M. Ellis, Jr., of the Baker county grand jury testified as to the sheriff's belligerent attitude and final statement that he meant to keep the pistol and that he would take any other pistols found in the possession of Negroes. Atty. Robert Culpepper, of Camilla, stated that he had written Screws a letter about the return of the pistol and that Screws had received his letter on the day preceding the beating.

OCT 7 1943

Hearings will be resumed this morning, with a score or more of witnesses yet to be heard.

District Attorney T. Hoyt Davis, of Macon, is heading the prosecution with [illegible] Smith, of Cairo, as special assistant and is further assisted by M. B. Calhoun and W. H. Crawford of the FBI. Bob Short of Newton is chief defense counsel and is assisted by Clint W. Hager and F. A. Kemp) of Atlanta, and E. T. Hughes, of Camilla.

OCT 7 1943

James P. Willingham, a former resident of Newton, testified that Officer Jones told him that Hall was whipped "when he started talking about making bail." Willingham also said the officer told him "we did a good job."

OCT 7 1943

The witnesse was carried into the courtroom on a stretcher, having recently been confined to a hospital. He said he talked to Jones the night after Hall was arrested and quoted him thus:

"The Negro had a mighty good pistol and we took it away from him. He got smart and went to the grand jury and hired a lawyer. So we arrested him on a warrant last night."

OCT 7 1943

The warrant figured in testimony Wednesday by Hubert L. Davis, hand-writing expert for the Federal Bureau of Investigation.

Davis said portions of the warrant showed characteristics similar to those in specimens of Screws' handwriting but declared two other signatures on the warrant revealed characteristics which he said handwriting examiners "usually associate with forgeries."

Georgia Justice

October 10, 1943 Atlanta, Ga. Journal

THE SHERIFF of Baker County, a special deputy and a police[illegible] of Newton, seat[illegible] of the county, have been convicted of violating civil liberties statutes in the death of a Negro prisoner and have been sentenced to three years' imprisonment and fines of $1,000 each. The sentences were the maximum penalties under the indictments which had been brought against them.

The case was tried in Federal Court at Albany; the jurors were white residents of the jurisdiction. It is to be assumed their verdict was a just finding in the light of the evidence and testimony presented. On that assumption The Journal expresses its gratification at the outcome of the case.

Georgia justice must become a synonym for equal justice to all, colored or white, humble or mighty. This, we believe, is the opinion and the determination of all good citizens.

There is but one feeling such citizens can have about the Albany trial. The three officers of the law who brought about the death of the Negro within their keeping should be thankful they escaped an indictment and a punishment more in keeping with the gravity of the crime.

Three Face Penal Terms, Fines For January 29 Crime

Daily World
Atlanta, Ga.

Had Been Charged With Violation Of Civil Rights

OCT 8 1943

ALBANY, Ga. (S) [illegible]owing deliberations of five hours and fifty minutes, an eleven-man white jury returned verdicts of guilty late Thursday against three white officers charged with violating civil liberties statues in the fatal beating of Robert Hall, a mechanic who had been arrested on an allegedly [illegible] misdemeanor warrant the night of January 29.

The convicted men—Sheriff Claude M. Screws of Baker County, Frank Edward Jones, former member of Newton (Ga.) police force, and Jim Bob Kelley, a special deputy—were found guilty on two counts of the government's indictment. The first count charged them with acting to deprive Hall of his life without due process of law and carries a sentence of one year and a $1,000 fine, while the second count of conspiracy carries a straight prison sentence of two years.

OCT 8 1943

Judge Bascom S. Deaver charged the trial jury at one o'clock Thursday afternoon. The morning had been spent in argumentation by counsel—Attorneys Frank A. Kemp,

...night when he was further quoted as stating that "we put handcuffs on him and when he started to talking about bail, we whipped him. We brought him back to the well and whipped him some more."

Willingham said Jones told him that Hall had attempted to shoot the officers. The witness said he asked Jones how was it that Hall attempted to shoot a gun if he was handcuffed. He said Jones replied "we did a good job."

Jones denied Willingham's statements.

Sheriff Screws testified that he had oral instructions from Judge Carl Crow not to return the pistol to Hall until the judge issued an order for its return.

JUDGE DENIES CLAIM

Judge Crow, called as a government witness Thursday testified he did not recall ever having told Screws not to return the pistol to Hall.

Hall's defense attorney testified as to the witness' reputation for truth and veracity.

Hubert L. Davis, handwriting expert of the FBI, testified Wednesday that specimens of Sheriff Screws' handwriting and those on an alleged forged warrant appeared to be the same.

During cross-examination Wednesday, Sheriff Screws tripped himself several times as to what in the testimony he had stated to his counsel of having signed the warrant and as to whether he had any knowledge of the signature. He said this error to his inability to see very clearly. (Vision in one eye was impaired recently when he was shot attempting to arrest a white man.)

SOUGHT TO RECOVER GUN

Much of the evidence late Tuesday involved Hall's attempt to recover a pistol that had been taken from him by officer Jones and given to Sheriff Screws. Hall's father testified that he had visited the sheriff and requested him to return the pistol. E. M. Ellis, a member of the Baker County grand jury for January, testified that Hall appeared before that body and asked it to help him recover his pistol. According to Ellis, Sheriff Screws was called before the grand jury and was quoted as saying he intended to keep the pistol "until the judge (Judge Carl Crow of the Albany Circuit) orders me to give it back."

Ellis also stated that the Sheriff told the jury "If there are any more Negroes who have them pistols, I'm going to take them too." the grand jury that if they felt the grand jury tha if they felt that they could do anyhing about it to go ahead.

Attorney Culpepper testified that Hall came to his office in Camilla twice about the pistol. The last visit was on January 28, one day before he was killed. At that time the attorney dictated a letter to Sheriff Screws in an attempt to find out the reason for his holding the pistol. It was later brought out that Sheriff Screws received this letter the following day. It was that night that Jones and Kelley went to Hall's house to arrest him.

Testimony of several white women figured in the trial.

Mrs. Mamie White related a conversation she had with the sheriff the night Hall was killed. She stated that Hall worked in a garage across the street from her husband's filling station, repairing the lights on her daughter-in-law's car. While Hall was working on the car Sheriff Screws was looking across the street and came over to the filling station soon after Hall had left, she stated. The sheriff was quoted as saying he was going to kill Hall because he had "lived too long."

Several white witnesses told of actually seeing the officers beat Hall into insensibility in the courthouse square after he was dragged there.

3 Georgia Cops Convicted in Jan. Lynching

All-White Jury Out 6 Hours; Rules on 2 Federal Violations

VICTIM FRAMED, BEATEN TO DEATH

Penalties Total 3 Years' Imprisonment, $1000 Fine for Each

By CLIFF MACKAY

ALBANY, Ga. — (ANP) — An all-white jury late Thursday returned verdicts of guilty against Sheriff Claude M. Screws of Baker County, Frank E. Jones, former Newton, Ga., police officer, and Jim Kelley, special deputy, in the lynching of Robert Hall, 29.

The verdict, which held the three white defendants guilty on two separate counts, was reached after a deliberation of five hours and fifty minutes. The trial, lasting four days, was held before U.S. District Judge Bascom Weaver.

The first count charged them with conspiring to deprive Hall of his life without due process of law and carries a sentence of one year and a $1000 fine. The second of conspiracy carries a sentence of two years and no fine. Both counts are violations of Federal civil liberties laws.

Frames for Spite

Hall, arrested on an alegedly faked warrant falsely accusing him of the theft of an automobile tire, was beaten to death while in the custody of the three peace officers the night of January 29.

His slaying is said to have had a connection with a grand jury order directing Sheriff Screws to return a pistol taken from Hall some time before.

Sick White Man Testifies

James P. Willingham, a white former resident of Newton, where the slaying occurred, was brought into the courtroom on a stretcher Thursday, to relate an incriminating conversation he had had with Jones, the morning after the fatal beating.

Willingham quoted Jones as saying:

"Hall had a mighty good pistol and we took it away from him. He got smart and went to the grand jury and hired a lawyer, so we arrested him on a warrant last night.

"We put handcuffs on him and when he started to talking about bail we whipped him. We brought him back to the well and whipped him some more."

Warrant "Forged"

Hubert L. Davis, FBI handwriting expert, gave testimony indicating that the warrant used to effect Hall's arrest was forged by Sheriff Screws, and not issued by the justice of the peace. He said that a specimen of the sheriff's handwriting obtained by FBI agents, W... Crow and that on the warrant were identical.

Screws, on the stand Thursday morning, reiterated his original contention that the attack on Hall was in self defense.

He insisted that Hall "lunged toward me with a shotgun," despite testimony of a string of government witnesses who said Hall was handcuffed at the time of the assault.

Too "Biggety"—Sheriff

Appealing to the jurors to free him, Screws sought to justify the beating by asserting, "You gentlemen know how biggety these d——s' are gittin' nowadays."

The case was tried with but eleven jurors, both sides having agreed in advance to continue with less than twelve if any of the jurors, for any reason, had to be excused. Two colored veniremen were struck by Bob Short, chief defense counsel.

Several white eyewitnesses identified the officers as the ones seen beating Hall and dragging his body to the jail, while other witnesses related conversations in which each of the defendants virtually admitted participation.

District Attorney T. Hoyt Davis of Mason conducted the prosecution.

Ga. Lynch Sheriff Freed By Court On Bond Of $7,500

Defender
Chicago, Ill.

CAMILLA, Ga.—(ANP)—Sheriff M. Claude Screws, who has been retained in the Mitchell county jail here since his conviction October 7 in charges of violating civil liberties statutes in the lynching of Robert Hall, was released Wednesday under $7,500 bail pending an appeal.

In granting Sheriff Screws bond, the U. S. Fifth circuit court of appeals overruled U. S. District Judge Bascom Deaver, who sentenced Screws, Frank Jones, former Newton, Ga., policeman, and special deputy Jim Bob Kelley to serve a total of three years in federal prison and pay $1,000 fines. Jones and Kelley are still in jail, unable to make their $7,500 bonds.

J. F. Kemp, Atlanta attorney, who argued the motion for bail before the court of appeals, said hearings on appeal of the conviction and sentence would probably be held in December at New Orleans before the appellate court.

...a Federal jury convicted Deputy ... in the fatal beating of a ... prisoner. New York, N. Y.

...trio was charged with violating statutes guaranteeing protection to persons in custody of state officers and conspiracy to violate the statutes. Indictment followed the death of Robert Hall, garage worker, arrested on a charge of stealing an automobile tire on January 30.

The U. S. District Court Judge sentenced Baker County Sheriff M. Claude Screws, Special Deputy Jim Bob Kelley and Frank Edward Jones, former Newton police, to one year and a $1,000 fine on the count charging deprivation of civil rights, and two years' imprisonment on the conspiracy count.

An Epoch in Georgia History

...sterdam News New York, N. Y.

The conviction of a sheriff and two deputies in Albany, Ga., by an all-white jury in a federal court two weeks ago for abducting and lynching a Negro last January is an epoch of justice in the South. First, the witnesses (white) who testified against the three men and the jury which convicted them, are worthy of the praise of every law abiding American citizen. Second, the U. S. Department of Justice, which has often failed in its duty to prosecute criminals of this character, should be commended for its courageous and efficient work in this case.

The victim, Robert Hall, was beaten to death by the sheriff and his two deputies [illegible] Ga., following his arrest by a warrant the sheriff himself had forged. Instead of permitting the matter to be forgotten as too often happens in such cases in the South, the Government proceeded to draw up complaints against the three men and gladly prosecute them for their crime. Appealing to the jury to free him, the sheriff sought to justify his crime by asserting in court: "You gentlemen know how biggety these darkies are gittin' nowadays."

But this appeal to racial prejudice didn't work this time. For white men, citizens of Georgia, did their duty and found the sheriff and his deputies guilty.

By so doing, this jury has accomplished more for better race relations than any other body of men in the entire South in years. It has not only let it be known that American citizens, regardless of color, will receive justice in the courtroom, but it has also served notice on lynchers that they will be duly punished for their crime. The upholding of the law is a basic American tradition. A Georgia jury has demonstrated that [illegible]

American True Story

People's Voice

ALBANY, Ga.—Things are looking up in Georgia. They've been looking up ever since a rural county sheriff, a specall deputy and a former policeman were sentenced last Thursday to three years' imprisonment and fined $1,000 after

37j 1943 Georgia (Lynching of Robert Hall in 1943)

4: 20d 1945 U.S. Supreme Court

(His (Sheriff M. Claude Screws) conviction was set aside by the U.S. Supreme Court, 1945, and prosecution was not renewed.) → Source: The Condition of our Rights, by Southern Regional Council, 1948.

ef 34e 1946 Ill. (in 12)

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All-White Jury Frees Lynchers Of Soldier

Defender
Chicago, Ill

By SAM LACY
(Defender Staff Correspondent)

LEWISTOWN, Ill. — Mob law of the [illegible] invaded Central Illinois last week, claiming the life of a Negro soldier from Chicago.

And closely following the deep South pattern, the lynchers who made up a posse of farmers armed with shotguns, went unpunished by the law although their identity is known by the entire community here.

The soldier, [illegible] Private, Hollis Willis, from Chicago, was shot and killed by a posse on a [illegible] here last Sunday midnight in the midst of weird tales of alleged rape and mysterious telephone calls. His confessed slayers, four white farmers, were exonerated Tuesday night by an all-white coroner's jury following a one-track inquiry conducted by Dr. Mark S. Nelson, Fulton County coroner.

The men who admitted to being members of the party which caused the soldier's death are John W. Lane, W. H. Hamm, and Ralph and Carroll Parr, brothers. All live in nearby Ipava.

With no Negro witnesses involved, no colored persons on hand for the hearing and an all-white jury taking the testimony, the inquest setting offered nothing to stimulate a serious attempt to prosecute the case. The resultant verdict of "justifiable homicide," was therefore not unexpected.

A charge that Illinois had been blackened by a lynching was touched in a protest telegram, sent Thursday, from the Chicago office of the NAACP, in which Secretary of War Henry L. Stimson was urged to take immediate steps to punish the "apparent murderers of a United States soldier."

While there are only a negligible number of Negroes living in this tiny hamlet of less than 2,000 inhabitants, it is feared that the obvious whitewashing of the case will threaten the harmony existing at Camp Ellis where 40,000 soldiers of both races are currently stationed. Such serious consequences were seen as a result of the slaying a

evidenced in the fact that Dr. Martin Bickham, chairman of Gov. Dwight Green's State Interracial committee, was rushed to the scene of the crime to conduct an investigation.

Questioned

The slaying of Willis and the detention of another colored soldier, Pvt. Morris Nichols, of Philadelphia, [illegible] on a charge of criminal assault, [illegible] head of this reporter, questions which have remained unanswered throughout a three-day investigation at the scene of the crime and at nearby Camp Ellis, where both men were stationed. Chief among these questions are:

(1) Why did the white posse hunt the telephone caller "to turn over to military police" when they didn't know he was a soldier until they found him?

(2) What constitutes "justifiable homicide" in the eyes of Fulton County law?

(3) Did or did not Pvt. Hollis Willis own a car and was it or was it not stalled crosswise the road as he reputedly claimed in asking for help over the phone?

(4) Why was not the farm wife who was allegedly raped called to testify at the inquest as means of supporting the suspicion which sent the farmers [illegible] hunt of colored man?

(5) [illegible] could a lone soldier successfully force his attentions upon a protesting woman and at the same time hold her husband at bay with a revolver, as was stated in the report of the alleged rape?

The testimony of the four white men who organized the posse to hunt down Willis was that they did not intend to kill the man. All agreed that they traced a series of telephone calls, in which the caller made insulting remarks to women on a rural party line. The trail, they said, led them to the farm of George Quigley, whose home had been vacated since his wife had been reportedly criminally attacked the week previous.

The farmers declared they went after the man "to hold him until military police arrived." Up to that time, however, they had no knowledge of the man's identity or did they even know he was a soldier.

Lane was identified as the trigger-man in the shooting of Willis. He said he killed the soldier when the latter attempted to flee from the house after it had been surrounded. According to them, they closed on the place and called to Willis to give himself up. Instead of doing so, the man came out of the house and threw a club at them and then tried to get away, the quartet testified. He was shot down as he neared Lane.

Except for the "club" he was supposed to have tossed Willis was unarmed, the witnesses agreed.

All Witnesses Related

They told investigators they were drawn to the house when a man rang a six-party line, common to this community, and told Miss Irma Hamm that he was at the Quigley farm with his car stalled crosswise the road nearby. Other women, after the fashion of country folk sharing a telephone line, lifted their receivers and reported hearing the man make improper advances to Miss Hamm.

Testifying along with the four farmers charged in the slaying were Miss Hamm and her sister, Wilma, daughters of W. H. Hamm; Mrs. Charlotte Hamm, their mother, and Mrs. Thelma Lane, wife of the confessed trigger-man. Only Lee Deaking, another farmer, of all the witnesses called was not related in some way to the accused quartet.

Neither army or civilian authorities, nor any of the witnesses would state whether or not Willis' claim of car trouble was legitimate.

Inquiry was made by the Defender as to why Mrs. Quigley, the alleged rape victim, was not asked to testify at the inquest, it being pointed out that her presence would in some way justify the suspicion that the posse was on the trail of a rapist when it fought out and killed Willis.

Camp Remains Calm

The reply was that Mrs. Quigley would be called upon to relate her story at the assault trial which Pvt. Nichols is destined to face.

Fortunately, the extremely tense atmosphere that has gripped this community does not seem as yet to have penetrated the army station at Camp Ellis, just 16 miles distant. From all indications, the soldiers have not been affected by either the rape charges or the cold-blooded killing. Negro and white soldiers thus far have given evidence of accepting the incident as one of many to be expected during times of stress.

Widespread contact in crowded buses going to and from the nearby towns of Macomb, Table Grove, Galesburg and Vermont was continuing without incident this week. Enlisted men of both races were drinking beer and eating together in a spirit of fellowship and sharing expenses of the numerous juke boxes to be found in the various towns.

Meanwhile, Capt. Thomas K. Blender, public relations officer at Camp Ellis, announced that military authorities had relinquished their claim on Pvt. Nichols. Nichols, who was said to have confessed attacking Mrs. Quigley, has since repudiated that confession and protested his innocence. He was turned over to civil authorities for prosecution.

Capt. Blender told the Defender that the army had wiped its hands of the affair after two investigating officers, Lt. Elmer Schwinberg and Maj. Laurence Hall, submitted their report. Both stated that they were convinced that Nichols' confession was based on truth.

Since the reputed attack on Mrs. Quigley took place off the military reservation, they pointed out, it was no more than proper that the accused should be turned over to civil authorities for prosecution.

State's Atty. Lachlan Crissey told the Defender that as far as his office is concerned the case against the four white farmers has been closed. He could not set the date for the trial of Nichols.

Both Willis and Nichols were members of Company D, 1317th Engineering regiment, and occupied the same barracks, according to Capt. Blender. The former, though inducted from Chicago, had no address in that city. He was a native of Clarkton, N. C., Capt. Blender stated. Nichols is a Philadelphian.

NAACP Protests

Dr. Bickham, chairman of Gov. Green's State Interracial committee, conducted an investigation at the same time the Defender probe was underway. Efforts to reach him were unavailing.

Following a report that he was to confer with Mayor David Linberg, of Galesburg, Wednesday night, the Defender attempted to reach him there. Mayor Linberg stated, however, that he had not heard from Dr. Bickham since his arrival in the vicinity.

The Chicago office of the NAACP lost no time filing protest against the killing. A telegram from Oscar C. Brown, president, referred to the slaying as an incident which "looks very much like an Illinois lynching of a United States soldier." Brown urged that "immediate steps be taken to prosecute apparent murderers and to protect other Negro soldiers from civilian atrocities."

Copies of the wire went to Secretary of War Stimson, Governor Green, and a number of other national and state officials.

40,000 Negro and 60,000 white soldiers at Camp Ellis result in a complete breakdown. Gov. Dwight H. Green's chairman of the state Interracial Committee, Dr. Mark Bickman, has been rushed here indicating the seriousness of the situation.

Another Held

Another soldier, Pvt. Morris Nichols of Philadelphia, also stationed at Camp Ellis, is being held by local police on charges of having attacked Mrs. [illegible] Quigley, white, on her farm. [illegible] was not called to testify at the Willis inquest, it being explained she would save her statement for the trial of Nichols. Pvt. Nichols has denied the rape charge, after police officials said" he had confessed. Meanwhile Capt. Thomas K. Blender, public relations officer at Camp Ellis, said military authorities had relinquished their claim on Nichols.

Testimony at the inquest revealed that the posse formed after Pvt.

Negro Soldier Jury Frees Lynchers Of Soldier; Race Tense

Defender
Chicago, Ill
Nov 20 1943

LEWISTON, Ill.—(ANP) — With Negro soldier allegedly raped a white farm woman, and another had telephoned several others making improper proposals. Killers of a racial outbreak here resulting from the lynching of a Negro soldier here last week by a mob of white farmers from nearby Ipava, the Chicago Branch NAACP and other militant groups were protesting to Sec. of War Stimson and local authorities the whitewash of the murderers by a coroner's jury.

Killed by Posse

The soldier, 19-year-old Pvt. Willie Hollis of Chicago stationed at Camp Ellis, was slain by a volley of bullets on a farm last Sunday after rumors had circulated that

who formed the posse that killed Hollis, and four women testified at the hearing. All agreed that the soldier was unarmed, and alleged that he made improper advances over the rural party line that permits several people to listen to a conversation at the same time, and that he was shot after he threw a club at members of the lawless mob. The women witnesses were Irma and Wilma Hamm, daughters of one of the killers, and their mothers, Mrs. Charlotte Hamm, and Mrs. Thelma Lane, wife of the confessed slayer who fired the fatal shot.

Military authorities were concerned lest the sentimony existing between

Hollis allegedly made obscene propositions to farm wives on the party line. The trail lead to the Quigley farmhouse that had veen vacated after the alleged attack on Mrs. Quigley.

NOV 20 1943

The farmers said they went to get Hollis to "hold him for military police" although it was never explained how they knew the man they sought was a soldier. After the house had been surrounded and Hollis ordered to surrender Lane, the trigger-man, said he shot him when a club was thrown at the posse and the soldier attempted to flee.

Pvt. Hollis before he died said his car broke down and he had entered the deserted farmhouse to call for help.

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Nashville, Tenn., Banner
July 14, 1943

13 Persons Held In Lynching of Tennessee Negro

East St. Louis, Ill., July 14—(INS)—Charged with conspiracy in the lynching of a discharged Negro soldier, 13 persons, including a former sheriff of Vigo County, Indiana, and three of his deputies, today faced arraignment in Federal Court at Danville, Ill., next Monday.

Indictments against the 13 defendants were returned by a Federal Grand Jury at East St. Louis as an aftermath of the fatal shooting near Paris, Ill., last October 12 of James Edward Person, 33, who had been honorably discharged from the Army.

Acting United States District Attorney Ray Foreman said bonds for the 13 defendants would be set at $2,000 each.

Frank Coleman, special assistant to Attorney General Francis Biddle, came to East St. Louis to present evidence before the grand jury. He said the maximum penalty for the offense is two years' imprisonment and $5,000 fine.

The Civil Rights Division of the Department of Justice investigated the case at the request of American Legion Post at Jackson, Tenn., which had received a plea from Person's father, Christopher, who lives in Summerville, Tenn.

Seven overt acts are charged in the indictments returned before Federal Judge Fred L. Wham. Another charges the defendants with circulating false rumors that the Negro frightened women at seeral farm houses.

After the rumors spread a posse was formed to hunt the Negro, and Person was fatally wounded as he ran from the farm of James Strickler.

Person was found dead in a cornfield about a mile west of the Illinois-Indiana state line.

Chicago Tribune
Chicago, Illinois

JUL 16 1943

3 POST BONDS FOR HEARING IN NEGRO'S KILLING

Danville, Ill., July 15 (AP).—Eight of 13 persons indicted for conspiracy to violate the civil rights statutes appeared before the clerk of the Federal court today and posted bonds of $2,000 each.

The case arose from the fatal shooting of James Edward Person, a 33 year old Negro on Oct. 12 near Paris, Ill., by a posse of farmers aroused by rumors that he had appeared at farm houses and frightened several women.

Those who posted bonds today were Guy Morris and Martin Kiado

Vigo [Ind.] county farmers; Ernest Poynter, James Houston, Edward Garwood, Ernest Bo[illegible], Herbert Tweedy, and Charles Price, Edgar [Ill.] county farmers. Others under indictment were expected to surrender to federal authorities at Indianapolis or Terre Haute, Ind., before the end of the week. An arraignment has been scheduled here for Monday.

Birmingham Post
Birmingham, Alabama

JUL 14 1943

U. S. Grand Jury Indicts 13 In Indiana And Illinois For Slaying Of Negro

By United Press.

EAST ST. LOUIS, Ill., July 14.—Thirteen persons, including four former Indiana law enforcement officers, were charged today with conspiracy to violate civil right statutes in the fatal shooting of James Person, 33, a Ne[illegible]

The defendants, most of them farmers along the Illinois-Indiana boundary in the vicinity of Terre Haute, Ind., were indicted by a Federal Grand Jury here late yesterday. They were charged with seeking to deprive Person of his right to life and liberty without due process of law.

Mississippi Case Failed

The Federal Government employed similar charges recently in an unsuccessful attempt to prosecute members of a mob which broke into a Mississippi jail and lynched a Negro.

Person, who had been honorably discharged from the Navy, was hunted by a posse of farmers and sheriff's deputies [illegible] 12, after residents of the [illegible] reported that he had been frightening women by peering through the windows of farm homes.

The defendants included former Sheriff John Trierweiller of Vigo County, Ind., and three former deputies—James Elliott, Herbert Beasley and Pearl Miller.

Charge Shotgun Used

The indictment charged that Trierweiller and another defendant, Martin Kiado, a Vigo County farmer, "used a shotgun upon Person" near Libertyville, Ill., [illegible] posse was formed and pursued Person across the state line into Edgar County, Ill., the indictments charged.

James Strickler, 72, a Negro justice of the peace, found Person lying wounded near Paris, [illegible] several hours after the pursuit began. Strickler took Person to his home, fed him and cleaned his wounds.

Person later became frightened when he saw the lights of an automobile approaching Strickler's home and he ran through a cornfield. His body was found 44 days later on Strickler's farm by Paris law enforcement authorities.

A coroner's jury said he died of internal hemorrhage.

Subsequently, agents of the Federal Bureau of Investigation exhumed Person's body in order to remove gunshot [illegible] FBI was called into the case by Assistant Attorney General Wendell Berge, who acted on a complaint by the American Legion post at Jackson, Tenn. This post had been informed of the death by Person's father, who lives at Summerville, Tenn.

The defendants, who will be arraigned at Danville, Ill., Monday, face maximum penalties of two years imprisonment, $5000 fines, or both.

PM
New York, N. Y.

JUL 15 1943

Sheriff Denies Lynching Guilt

EAST ST. LOUIS, Ill., July 15.—John Trierweiller, ex-sheriff of Vigo County, Ind., and one of 13 persons indicted by the Government in the lynching of James Person, 33-year-old Negro, last Oct. 12, has declared he will plead not guilty.

JUL 15 1943

Trierweiller said, however, that he and his three deputies formed a posse and chased Person across the state line into Illinois after residents of the district complained the Negro had been peering through windows of farm houses.

Denying that he was "near the mob that finally shot Person" near Paris, Ill., the former sheriff said he had returned to Indiana

Washington Post
Washington, D. C.

JUL 14 1943

Lynching Conspiracy

A man named James Edward Person was shot to death by a mob in Illinois, near the Indiana border, [illegible] October. Apart from being a Negro and a stranger, he had committed no offense. He had received an honorable medical discharge from the Army and was peaceably making his way toward his home in Tennessee. On the way he stopped at several farmhouses to ask for food. Because of his color and his strangeness, rumors about him spread [illegible] the country-side, and a hue and cry was raised after him. A mob, calling itself a posse under the leadership of a sheriff and three deputies, pursued him, shot him and left him to die from wounds and exposure. His body was not found until six weeks later.

AUG 28 1943

This story forms the background for what may prove a very significant test of Federal authority to act against the crime of lynching. For a Federal grand jury in East St. Louis, Ill., has now indicted 13 persons, including the sheriff and three deputies (no longer in office) on the ground that they conspired, under the color of State law, to deny James Person his rights under the Fourteenth Amendment to the Constitution which provides that no State shall "deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." The vital factor in this case is that the defendants are alleged to have persuaded State officers to violate the Constitution.

JUL 25 1943

A similar indictment was presented last April in the case of a Mississippi Negro who had been duly tried and sentenced to life imprisonment and then lynched by a mob which took him from jail and out of the hands of State officers. The Department of Justice failed to secure a conviction in this case. But the trial of the defendants in Illinois, where Southern prejudices respecting Negroes need not becloud justice, may have a different outcome. The case, moreover, is a flagrantly ugly one. It seems fair to say that it probably never would have occurred in a Southern State. As in most instances of mob action, this lynching had its origin in rumors and hysteria—which apparently developed in the Northern community largely because of the fact that a Negro was an oddity there and consequently became an object of suspicion.

When a mob takes the law into its own hands and lynches a man, the crime is a concern of the State in which it occurs. The Federal Government has no more jurisdiction over it than it has over any other sort of murder not committed on Federal property. But when a mob acts in concert with the officials of a State, or compels or persuades them to violate the constitution, then Federal authorities may intervene. This is what happens in nearly half of the lynchings which occur in this country. It is what happened in Illinois where a sheriff participated in the violence and it is what happened in Mississippi where the victim was taken from a sheriff's custody. If a conviction is obtained against the defendants in Illinois, then the long-debated question of a Federal antilynching law will have become in large part academic. For the Federal Government will be able to assume jurisdiction over every lynching case in which State officials are involved.

JUL 25 1943

Of itself, this would be something of a boon, since it would avoid another long congressional wrangle over an issue entailing States' rights, bitter sectional controversy and touchy racial questions. It would be fortunate if the country in wartime could be spared so divisive a debate. More important, however, is the conviction that the States themselves could be expected to lighten the enforcement of their own laws against lynching. Most important of all is the fact that if this precedent is established it will give the Federal Government a powerful instrument for the protection of civil rights.

New York, N. Y.

JUL 24 1943

Sheriff, 13 Others, Indicted In Paris, Ill. Lynching

EAST ST. LOUIS, Ill. (FP).—Thirteen persons, including a former sheriff and three former deputy sheriffs of Vigo County, Ind., were indicted July 14 by a federal grand jury here and face maximum penalties of two years imprisonment or a $5,000 fine or both, on charges of participating in the lynching of a Negro near Paris, Ill., last October. Vigo County is just across the Illinois state line.

The lynching victim was James Edward Person, 33, grandveteran of this war who had received his honorable discharge from the Army. Person had been accused of peeping up at the windows and doors of farmhouses and

frightening women. An FBI investigation, which led to the indictment, disclosed that Person had been hiking across fields and had stopped to ask for food at various farmhouses.

JUL 24 1943

Illinois Sheriffs Indicted For Lynching Of Soldier

Tribune.
Philadelphia, Pa.

JUL 24 1943

Attorney General Francis Biddle has announced that a Federal Grand Jury in East St. Louis, Illinois, returned an indictment charging thirteen persons, including a former sheriff and three former deputy sheriffs of Vigo County, Indiana, with conspiracy to violate the Civil Rights Statute in the lynching of James Person, near Paris, Illinois, on October 12, 1942.

Those named in the indictment are John Trierweiler, former sheriff, James Elliott, Herbert Beasley, and Pearl Miller, former deputy sheriffs, and Guy Morris and Martin Klade, all of Viga County, Indiana, and Ernest Poynter, James Houston, Ed Garwood, Kenneth Bozarth, Herbert Russell Tweedy and Charles Price, residents of Edgar County, Illinois.

Person was an honorably discharged soldier of the present war. An FBI investigation of his death at the hands of a mob was ordered by Assistant Attorney General Wendell Berge upon receipt of a complaint from the American Legion Post at Jackson, Tennessee.

The defendants are charged with having circulated false rumors concerning Person, who was "peaceably making his way" through Vigo County, and to have persuaded a mob to organize and hunt him down. A day-long chase ensued in which Person was fired on a number of times. Late in the afternoon, the indictment continues, the mob caught sight of him in Edgar County, Illinois, fired a number of shots at him as he ran into the woods, and then dispersed and returned to their homes.

JUL 24 1943

On November 26, Person's bullet-ridden body was discovered a few hundred yards from the scene of this last shooting. The American Legion Post at Jackson, Tennessee was informed of the killing by the victim's father, Christopher Person, Summerville, Tennessee, after the discovery of his son's body. The Legion then filed a complaint with the Department of Justice.

The case was represented to the Grand Jury by Ray M. Foreman, U. S. Attorney for the Eastern District of Illinois, and Frank Coleman, Special Assistant to the Attorney General attached to the Civil Rights Section.

Must Stand Trial for Lynching of James E. Person, War Veteran

Kansas City, Call
Kansas City, Mo.

JUL 23 1943

Indicted by Federal Grand Jury For Violating Civil Rights Law; Sheriff and Deputies Are Accused

DANVILLE, Ill. — The 13 persons indicted by a federal grand jury on July 13 in the lynching of James E. Person last October near Paris were arraigned Monday, July 19, in the federal district court here.

The indictments charged the 13 persons with conspiracy to violate the Civil Rights statues in the slaying of Person, a former World War 2 veteran who was making his way to his home in Tennessee after receiving an honorable discharge from the army.

The federal action resulted from an investigation by the FBI upon orders of Ass't Atty. Gen. Wendell Berge who had received a complaint from the American Legion Post at Jackson, Tenn. that James E. Persons, 33, an honorably discharged soldier of World War II, had been lynched. The Legion had been informed of Person's death by his father, Christopher Person, of Summerville, Tenn.

Named in the action are John Trierweiler, former sheriff of Bigo county and his three former deputies, James Elliott, Herbert Beasley and Pearl Miller. Other defendants are Guy Morris and Martin Kiado, former residents of Vigo county and Ernest Poynter, James Houston, Ed Garwood, Kenneth Bozarth, Erret Bozarth, Robert R. Tweedy and Charles Price, farmers of Edgar county, Ill.

Frank Coleman, special assistant to Biddle, who came here to present the evidence to the grand jury, said the offense carries a maximum penalty of two years' imprisonment and a fine of $5,000. The men have been arrested and are being held in $2,000 bail.

The true bills charging conspiracy to deprive Persons of his life without due process of law follow the identical procedure in the recent government case in Hattiesburg, Miss. The department unsuccessfully attempted to prosecute members of a mob who removed a prisoner from the local jail and lynched him.

JUL 27 1943

It is specifically charged in the indictments that the defendants "acting under the color of state law" conspired to violate the civil rights statutes by denying Person his life and liberty without due process of law as guaranteed by the constitution: that the defendants "used a shotgun upon Persons" near Libertyville Ind., while he was "peaceably making his way" toward his home in Tennessee.

The petition also charged that the defendants "wantonly and recklessly raised a hue and cry" against Persons by circulating "false suspicions, conjectures and rumors" concerning his actions.

Stories were spread throughout the community that Persons was menacing housewives whom he approached at their kitchen door for food. The allegation in effect accuses the defendants of inciting mob violence by disseminating inflamatory rumors, and is considered significant by observers in view of the investigations into the recent racial spectacle at Detroit and elsewhere in the country. The indictment pointed out that Person had committed no offense and there was no evidence that he intended to do so.

In impaneling the grand jury that heard the charges, Federal District Judge Fred L. Winn said: "There was never a time when civil rights were more important." The grand jury was composed of 20 persons including a Negro man and woman.

When he first learned of the indictments former Sheriff Trierweiler expressed bewilderment declaring that neither he nor his deputies had ever seen Persons.

Persons was chased for two days across Edgar county and Bigo county, Ind., by an un-authorized posse upon circulation of stories about him. He was first shot near Paris, Ill., but managed to elude the mob and find refuge on the farm of James Strickler, 72, a farmer-justice-of-the-peace, who fed him and attempted to dress his wounds. Persons, however, fled when two automobiles approached containing nine armed men.

Strickler said he heard no more from Persons and assumed he had escaped. Nothing more was heard from the soldier until his body was discovered in a bush 44 days later with his head resting on a rolled-up sweater.

Coleman said that Sheriff Trierweiler and several others had been prevailed upon by Strickler to abandon the chase by the sheriff of Edgar county, but that nine other members of the mob continued to pursue Persons. The mob dispersed when they failed to re-locate him.

JUL 23 1943

When the FBI entered the case Person's body was exhumed and an autopsy performed by Edgar county coroners revealed that two rifle bullets and 60 shotgun bullets had riddled his anatomy. Death, according to authorities, probably resulted shortly after he was last fired upon because of a hemmorrhage from an abdominal wound.

Jury Frees Lynch Mob

People's Voice
New York, N. Y.

JUL 24 1943

LEWISTON, Ill. (ANP)—Whil law enforcement officers expresse fear of a racial outbreak her resulting from the lynchings of Negro soldier here last week by mob of white farmers from nearby Ipava, the Chicago branch NAACP and other militant groups were protesting to Secretary of War Henry L. Stimson and local authorities the whitewash of the murderers by an all-white coroner's jury.

The soldier, 18-year-old Pvt Willie Hollis of Chicago stationed at Camp Ellis, was slain by a volley of bullets on a farm last Sunday after rumors had circulated that a Negro soldier allegedly raped a white farm woman, and another had telephoned several others making improper proposals. Killers of the US Army private were John W. Lane, W. H. Hamm and Ralph and Carroll Pharr brothers, all of whom were freed at an inquest conducted by Fulton County Coroner Frank S. Nelson. An all-white [illegible] verdict read "justifiable homicide."

There were no Negro witnesses at the hearing from among the city's Negro population of 2,000 and charges are rife here that the hearing was conducted in a farcical manner, with the decision handed down a foregone conclusion before testimony got underway. Only the four white men who formed the posse that killed Hollis, and four [illegible] testified at the hearing.

37g-1943

Illinois

RUMOR CAUSED MOB TO LYNCH COLORED MAN

Courier, Pittsburgh, Pa.

JUL 24 1943

By MARJORIE McKENZIE
(Courier Columnist)

WASHINGTON, D.C., July 22—The indictment returned against 13 defendants by an East St. Louis (Illinois) Federal grand jury last week under the Federal Civil Rights statutes for the mob murder of James Edward Person, which, oddly enough, happened on the 450th anniversary of Columbus' discovery of America, have focused attention on

EDITOR'S NOTE: Miss McKenzie's column "Pursuit of Democracy" does not appear in its customary place in this issue. We have instead, used her column here as news because of its timeliness and pertinency. Information of a case that has not been in print until the government took action against the lynchers.

terial for study and analysis in developing techniques to deal with the acute racial problems which now confront the entire country.

Person, who had been stationed at Camp Livingston, La., was honorably discharged from the army in March, 1942. He made his home with his father, Christopher Person, in Somerville, Tenn., which is about half-way between Memphis and Jackson. It is not known why he had wandered north to Indiana, but there is some intimation that he was in search of relatives. Nevertheless, it is bizarre that a man should have to go north to get lynched.

VICTIM OF RUMORS

The second significant thing about Person's death is that he was the victim of false rumors. Even the rumors were not bad; it was only said that he had "molested" people in the community. There was nothing concrete. His only offense seems to have been to beg for food from door to door (back doors, of course, as any proper Southern Negro of his class would do). In the South, his appearance would have startled and disturbed no one and he would have been fed, given a coin and sent on his way.

Person was first heard of on the afternoon of October 11, 1942, the day before his death, in Vigo county, Indiana, in the vicinity of Libertyville, just a few miles east of the Illinois state line. His troubles are said to have begun when a woman telephone operator at Libertyville, who said that a Negro had "bothered" her several months previously, initiated an active rumor campaign concerning Person's presence and activity in the community. In her strategic position she became a perfect clearing house for gossipy housewives, and it is further alleged that, finally, the sheriff of Vigo county aided and abetted her by circulating around the county, spreading the rumors, enlisting deputies and beginning the hunt for Person, which he subsequently

the conventional pattern of quaint lynching customs, nor yet is the motivation behind it characteristic of modern group thought. It is a queer precipitate of the old and the new in racial interaction and provides excellent clinical ma-

in the rural community where Person was shot, and in this fact, may lie the key to the killing. This is the old story of the fate of the stranger in the midst of a homogeneous culture. A primitive society will not tolerate a newcomer who looks and acts and smells different from its members because he represents a potential threat to their security. Even the rural residents of east-central Illinois should have been more sophisticated. Instead, they reacted typically to the age-old fear.

FAMILAR PATTERN

There is also an odd similarity between this incident and the many incidents in Deroit, which occurred months later. Here, as in Detroit, the ancient catalytic agent is malicious rumor, with a modern telephone system helping to spread the tales more efficiently. All mass reaction to rumor illustrates a habit that goes deep into the uncivilized recesses of human nature—the fierce delight that comes to every man from sharing a sense of impending tragedy, drama and excitement. This is the raw material of racial tension, springing up in a northern State.

The implications of James Edward Person's life and death are obvious. The responsibilities which consequently devolve upon local, State and national authorities—upon all public-minded citizens—are equally clear. A superficial, frightened and unscientific handling of the problem will not suffice. We must get to the roots of racial conflict and build up and out to the light together.

CAUGHT EATING IN FARMER'S YARD

It should be kept in mind that Person had committed no offense. There was no probable cause to believe that he had committed a felony; neither the sheriff nor his deputies had seen Person commit a misdemeanor, and they had no warrant for his arrest. Accordingly, the search itself was illegal. In spite of this fact, the sheriff has admitted that he instructed his deputies either to "shoot Person in the leg on sight" or to "shoot first and ask questions later."

Meanwhile, Person, who is believed to have been shot at and hit while still in Indiana by two of the deputies, had crossed a brief distance beyond the Illinois line to approximately five miles from Paris, Illinois, but was still moving through a rural community. It is said that he was standing in the front yard of a farmer of Edgar county, Illinois, chatting and eating persimmons with this farmer when the mob caught up with him. They piled out of two cars, guns lifted. Person showed signs of being frightened, was cautioned by the farmer with whom he had been talking not to run, but did, leaping over a hedge into a cornfield.

As the story goes, several shot guns and pistols were fired and Person's assailants, who believed that they had hit him, thus depriving him of his right not to be killed and not to be arrested, went away. That night the farmer found Person's hat in the cornfield; the sheriff of Edgar county looked around the next day, but Person's body was not discovered until six weeks later about a half mile from the spot where the shooting occurred.

MOB ACTED ON FEAR

It is known that the government had two autopsies conducted on the decomposed body and more than 60 shotgun pellets and one 22 bullet were found. This is what Person's pockets contained: a Tennessee automobile operator's license, a Social Security card, a card of poetry, a woman's picture (colored), one small card with a threaded needle stuck through it, no money, miscellaneous paper scraps.

The federal grand jury which returned the indictment against former sheriff of Vigo county, John Trierweiller, and others, including three of his deputies, was composed of 20 persons who included a fairly equal proportion of men and women, among whom were one Negro woman and one Negro man.

There are no Negroes, however,

7027 Lynchings not recorded

cf 34e 1946
$111 (1943)

Comment on Sheet & Card

Charged with Conspiracy To Violate Civil Rights

Bystander

Law in Lynching of Vet

Des Moines, Iowa

JUL 22 1943

Washington — Attorney General Francis Biddle announced that a Federal Grand Jury in East St. Louis, Illinois, this week returned an indictment charging thirteen persons, including a former sheriff and three former deputy sheriffs of Vigo county, Indiana, with conspiracy to violate the Civil Rights Statutes in the lynching of James Edward Person, Negro, near Paris, Illinois, on October 12, 1942.

Those named in the indictment are John Trierweiler, former sheriff, James Elliott, Herbert Beasley and Pearl Miller, former deputy sheriffs, and Guy Morris and Martin Kiado, all of Vigo county, Indiana, and Ernest Poynter, James Houston, Ed Garwood, Kenneth Bozarth, Errett Bozarth, Herbert Russell Tweedy and Charles Price, residents of Edgar county, Illinois.

FBI Probe

Person was an honorably discharged soldier of the present war. An FBI investigation of his death at the hands of a mob was ordered by Assistant Attorney General Wendell Berge upon receipt of a complaint from the American Legion Post at Jackson, Tennessee.

The indictment charges that "acting under the color of state law," the defendants conspired to violate Section 52, Title 18, U. S. Code, by denying Person his right not to be deprived of life or liberty without due process of law as guaranteed under the Fourteenth Amendment to the Constitution. Maximum penalties prescribed under the conspiracy statute are two years imprisonment or a fine of $5,000 or both.

The indictment alleges that, "pursuant to this conspiracy, and to effect the objects thereof," the defendants, "in wanton disregard of the consequent effects upon the personal safety of James Edward Person and of his right as a human being to be free of fear and bodily harm, circulated false suspicions, conjectures and rumors concerning him, and thereby excited and aroused themselves and numerous other persons—to join in a sue and cry against James Edward Person—"

The indictment further states that Person had committed no offense, that no warrant was outstanding for his arrest, "nor did any person have, nor was there probable or reasonable cause to believe, or reliable information to indicate that James Edward Person had offended or would offend against any law."

False Rumors

The defendants are charged with having circulated false rumors concerning Person, who was "peaceably making his way" through Vigo county, and to have persuaded a mob to organize and hunt him down. A day-long chase ensued in which Person was fired on a number of times. Late in the afternoon, the indictment continues, the mob caught sight of him in Edgar county, Illinois, fired a number of shots at him as he ran into the woods, and then dispersed and returned to their homes.

On November 26, Person's bullet-ridden body was discovered a few hundred yards from the scene of this last shooting. The American Legion Post at Jackson, Tennessee was informed of the lynching by the victim's father, Christopher Person, Summerville, Tennessee, after the discovery of his son's body. The Legion then filed a complaint with the Department of Justice.

The case was presented to the Grand Jury by Ray M. Foreman, U. S. Attorney for the Easter District of Illinois, and Frank Coleman, Special Assistant to the Attorney General attached to the Civil Rights Section.

JUL 22 1943

Argus
St. Louis, Missouri

8 Win Stay In Mob Case

DANVILLE, Ill., July 19—Eight of 13 men indicted for the alleged lynching of James Persons, 33, veteran near Paris, Ill., were granted 10 days to file a demurrer and prepare arguments against the indictment in Federal District Court here Monday.

The eight men, six from Illinois and two from Indiana, were represented by two attorneys who filed notices of demurrer when the defendants appeared today for arraignment.

Those arraigned were Ernest Poynter of near Paris; Guy Morris and Martin Kiado, of Vigo County, Ind.; and James Houston, Ed Garwood, Errett Bozarth, Hubert Tweedy and Charles Prince, all of Edgar County, Ill.

JUL 22 1943

JUL 23 1943

Indict Sheriff, 12 Others In Cruel Illinois Lynching

EAST ST. LOUIS, Ill.—The

Federal government began a new effort this week in connection with the lynching on October 12, 1942, of James Edward Person, 33-year-old Negro ex-soldier. The sheriff, who pleaded guilty to violate civil rights statutes, and three members of a Mississippi mob were indicted by the Federal grand jury. The 13 persons included deputy sheriffs of Vigo county, Ind., sheriff

JUL 22 1943

violate civil rights statutes by depriving a person of his life and liberty without due process of law.

May Get Two Years

Frank Coleman, special assistant to Atty. Gen. Francis Biddle, who came here to handle the presentation of evidence to the grand jury, said the offense charged carries a maximum penalty of two years' imprisonment and $5,000 fine. Those indicted will be arraigned Monday at Danville, he said, and the government will ask that bond be fixed at $2,000 each.

The federal action is the result of an inquiry into circumstances of Person's death by the department of justice.

Person was hunted throughout the day of Oct. 12 by posses of farmers and deputies in Vigo county, Ind., and Edgar county, Ill., after reports had been circulated that he had attempted several farm houses and had frightened women. He is believed to have been shot and wounded in Vigo county, and later in the day again wounded by a group which encountered him a mile inside the Illinois line.

Person, the indictment said, had committed no offense, and no warrant was outstanding for his arrest.

False Rumors

The 13 men, the indictment charged, circulated false rumors about Person, who was "peaceably making his way" through Vigo County and persuaded a mob to hunt him down.

Named in the indictment were John Prierweller, former Vigo county sheriff; James Elliott, Herbert Beasley, and Pearl Miller, former Vigo county deputy sheriffs; Guy Morris and Martin Kiado, Vigo county farmers, and Ernest Boynter, James Huston, Edward Garwood, Kenneth and Errett Bozarth, Herbert Tweedy, and Charles Price, Edgar county farmers.

The indictments alleged that Kiado and Morris "used a shot gun upon Person" near Libertyville, Ind., and began the chase, which soon attracted a posse.

Person was found by James Strickler, 72-year-old Negro justice of the peace, five miles south of Paris. Strickler took Person in, fed him and attempted to clean his wounds.

Shortly after headlights were seen coming down the road toward Strickler's residence. Person became frightened and ran through a cornfield. Nothing more was heard from Person (Strickler assumed he got away) until 44 days later when searchers discovered Person's body.

Daily World
Atlanta, Georgia

NOV 14 1943

Relations Tense After Jury Frees Lynchers

LEWISTON, Ill.—(ANP)—While law enforcement officers expressed fear of a racial outbreak here resulting from the lynching of a Negro soldier here last week by a mob of white farmers from nearby Ipava, the Chicago Branch NAACP and [illegible] groups were protesting to Secretary of War Henry L. Stimson and local authorities the whitewash of the murderers by an all-white coroner's jury.

The soldier, 19-year-old Private Willie Hollis of Chicago stationed at Camp Ellis was slain by a volley of bullets on a farm last Sunday after rumors had circulated that a Negro soldier allegedly raped a white farm woman, and another had telephoned several others making improper proposals. Killers of the U. S. Army private were John W. Lane, W. H. Hamm, and Ralph and Carroll Pharr, brothers, all of [illegible] were freed at an inquest conducted by Fulton County Coroner Mark S. Nelson. An all-white jury's verdict read "justifiable homicide."

NO NEGRO WITNESSES

There were no Negro witnesses at the hearing from among the city's Negro population of 2,000 and charges are rife here that the hearing was conducted in a farcical manner with the decision handed down a foregone conclusion before testimony got underway. Only the four white men, who formed the posse that killed Hollis, and four women testified at the hearing. All agree that the soldier was unarmed and alleged that he made improper advances over the rural party line that permits several people to listen to a conversation at the same time, and that he was shot after he threw a club at members of the lawless mob. The women witnesses were Irma and Wilma Hamm, daughters of one of the killers, and their mother, Mrs. Charlotte Hamm, and Mrs Thelma Lane, wife of the confessed slayer who fired the fatal shots.

Military authorities were reported to be concerned lest the semblance of harmony existing between 40,000 Negro and 6,000 white soldiers at Camp Ellis result in a complete breakdown. Governor Dwight H. Green, chairman of the State Interracial Committee, Dr. Mark Bickham, has been rushed here indicating the seriousness of the situation.

SOLDIER BEING HELD

Another soldier, Private Morris Nichols of Philadelphia, also stationed at Camp Ellis, is being held by local [illegible] on charges of having attacked Mrs. George Quigley, white, on her farm. Quigley was not called to testify at the Hollis inquest, it being explained he would save her statement for the trial of Nichols. Private Nichols has denied the rape charge, after police officials said he had confessed. Meanwhile Captain Thomas K. Blender, public relations officers at Camp Ellis, said military authorities had relinquished their claim to Nichols.

Testimony at the inquest revealed that the posse after Private Hollis alleged made obscene propositions to farm wives on the party line. The trial led to the Quigley farmhouse that the alleged attack on Mrs. Quigley.

The farmers said they want to get Hollis to "hold him for military police" although it was never explained how they knew the man they sought was a soldier. After the house had been surrounded and Hollis ordered to surrender Lane, the trigger-man, said he shot him when a club was thrown at the posse and the soldier attempted to flee.

Private Hollis, before he died, said his car broke down and he entered the deserted farmhouse to call for help.

POSSE FREED IN LYNCHING OF SOLDIER

Whitewashed by an all-white jury, here is the posse of downstate Illinois farmers who killed Pvt. Willie [illegible], a Negro soldier from Camp Ellis. Pvt. Hollis is shown (left). Speaking to the group is Fulton County Sheriff Harold Ellsworth (left). The farmers are (l. to r.), J[illegible] Willis with a shotgun; Carl [illegible] Hamm and Ralph Pharr.

Defender
Chicago, Ill.

NOV 20 1943

37g-1943
Christian Index
Jackson, Tennessee

MISSISSIPPI

7028

A STEP IN THE RIGHT DIRECTION

JAN 21 1943

THE Federal grand jury at Jackson, Mississippi, last week in returning two indictments charging four private citizens and a county jailer of Jones County with violation of Federal civil rights statute in the lynching of Howard Wash, a convicted colored prisoner in Laurel, on the night of October 16, 1942, revealed the evidence that should light up the dark page of official delinquency.

This case has become notable for the fact that the county jailer is among the accused. He neglected to lock the mob-proof doors, although he apparently had ample time to do so. According to news report, the mob first disarmed the sheriff and his deputies before they attended to the jailer. As usual none of the officers offered physical resistance or even threatened to use their weapons. No extraordinary circumstances had even inflamed the community, no miscarriage of justice was purported to be rectified. The prisoner, already had been convicted and was awaiting sentence. It is just one of those co-incidents of a vicious element and compliant custodians.

JAN 21 1943

Every law-abiding person in Mississippi, as well as all respectable citizens of our nation should be gratified at the prompt action of the Federal authorities in securing the indictments for the lynching at Laura last fall. Mr. Frank Coleman of Roanoke, Virginia, a special assistant to the United States Attorney General, who announced the indictments said his department's investigation indicated the four citizens were "ring-leaders" of a mob estimated at between fifty and one hundred persons.

Before the Federal officers were ordered to the scene, two companies of state militia, the state police and a state grand jury were busy on the crime, but so far they have done nothing. The argument against Federal intervention is that local communities should handle their own problems. But what have they ever done, and after their refusal then what?

JAN 21 1943

This is described as being the first indictment of its type involving an officer of the law in the history of the nation.

New Republic
New York, N. Y.

Lynching Indictments

JAN 25 1943

The indictment of five men by a federal grand jury in Jackson, Mississippi, on a charge of lynching a Negro is an important event in the history of race relations. The Negro was lynched last summer at Laurel, a town in the "piney woods" section south of Jackson. He had been convicted of beating his white employer to death with a water bucket. The Negro claimed self-defense. The jury recommended life imprisonment, but the Negro, Howard Wash, knew he was done for. He gave his child a dollar bill as a farewell present and told his wife goodbye. The next day a mob walked through the jail's unlocked "mob-proof" steel door, took Wash away and killed him.

Lynch mobs commit atrocities like this because they can get away with them. But now the Department of Justice has had the courage to invoke an unusual but obvious technique. They have charged the jailer and four mob leaders with depriving the Negro of his constitutional rights. Stiff fines and prison terms are the possible penalty. A leading Jackson lawyer is serving as special assistant to the Attorney General. Mississippi's federal courts will effect a monumental achievement if they follow this case through to convictions. It will be a shameful disappointment if the case is allowed to bog down. There have been only two previous indictments by federal grand juries in lynching cases, the last returned in Alabama in 1903, but never tried because a demurrer was sustained in the United States Supreme Court.

JAN 25

Birmingham, Ala. News
January 1, 1943

The Lynching Record

The annual report on lynchings, as compiled by Tuskegee Institute, lists five such crimes in the United States in 1942. This is one more than the total for 1941, the same as for 1940, and two more than in 1939. It is disappointing that we should have had more lynchings in 1942 than in some previous years. Yet, when we remember the much higher totals for earlier years, we can find some satisfaction in the thought that the tendency continues downward when viewed over a long period.

There is satisfaction to be found also in the report of 15 instances during the year when officers of the law prevented lynchings, saving a total of 17 men—four white and 13 Negro—from mob violence.

There has been real progress in putting down lynching in the last two decades. Attempts at lynching have declined steadily. Prevention of mob violence is now the rule rather than the exception. Surely the time cannot be far off when we shall go through an entire year without a single lynching. And once that record has been achieved, it should quickly become the rule.

IN HATTIESBURG, MISSISSIPPI the federal government ... 1943 ... mayor ... of one of the communities in the area ...

Time
Chicago, Illinois
RACES
JAN 25 1943
"Unusual & Different Punishment"

Federal grand juries seldom indict for lynching anywhere, but a jury made legal race history last week in Jackson, Miss. by doing just that: indicting Deputy Sheriff Luther Holder of Jones County—as well as four leaders of a lynch mob—because he did not protest or protect the jail or cell of one Howard Wash and so failed to keep alive his prisoner.

JAN 25 1943

It was last October that a mob of men broke with suspicious ease into the strong Laurel, Miss. jail and snatched up Howard Wash, dark and worried because he had killed his white employer in alleged self-defense. The mob brushed politely past Deputy Sheriff Holder, past the open steel doors and heavy bars. They took Howard Wash away with them to Welborn's Bridge and left him there—hanging limp like a broken crow, his slack toes pointed down at the drying creek.

Laurel was not too upset at the dark deed. It is a William Faulkner kind of town, that could be the locale of any of Faulkner's novels about the passions the South breeds on cotton planting and corn in the jug and native ideas of separating black from the white. But the local newspaper, the *Leader-Call*, ran a denunciatory editorial about the murder—the third lynching that month for Mississippi—and Governor Paul B. Johnson vowed punishment for the people who had led the mob and, in the words of the Federal jury, inflicted on Howard Wash "unusual and different punishment because of his race and color."

Only twice before had Federal grand juries drawn indictments against Southern lynchers. Nothing came of them. "It all just petered out," the natives said. There were those on the creek bottoms who were not too excited now by the new indictment. It would all, they thought, kinda peter out. But a new spirit was stirring among some of Mississippi's thoughtful citizens about America's worst national disgrace, and chances this week seemed better than ever that complaisant Deputy Sheriff Holder and the lynch mob might really feel the hand of the law they had flouted. If so, to Governor Johnson and courageous Editor Harriet S. Gibbons of the *Leader-Call* would go a considerable share of the credit.

One Lynching Party May Get Justice

Courier Journal
Louisville, Ky.
JAN 14 1943

Law-abiding Mississippians must be gratified at the prompt action of federal authorities in securing indictments for the lynching of a Negro prisoner at Laurel last October. It was Mississippi's third in a week. Two companies of state militia, the state police and a state grand jury were busy on the crime before the federal offi-

...ceive the indispensable assistance of cow-...ardice or connivance on the part of officers ...whose duty it is to protect prisoners in ...their care. All five of the 1942 victims ...were taken from custody without the slight-...est difficulty. The evidence at the Missis-...sippi trial should light up this dark page of ...official delinquency.

...Lynching has been practically reduced ...to this type, in which cowardly slayers re-

Mississippians Hit Lynch Bill

Atlanta Daily World, Atlanta, Ga.

WASHINGTON—(ANP)—Mississippi, site of three lynchings in 1942 and whose state courts refused to take any action against the mobbists, is still unalterably opposed to federal anti-lynching legislation as well as anti-poll tax statutes a survey of members of the congressional delegation from that state discloses.

Blasting introduction of such bills into the new session of congress Sen. Bilbo said:

"We must present a united front to the common end. I know how people of the south feel. The professional and political advocates of social equality are in for a rude awakening. The day has passed when the Democratic or any other party can kick the south around.

RULE THE SOUTH

"We are loyal Americans. We believe in white supremacy. The white race now rules the south and will continue to rule the south regardless of the attempts of any organization or individual to foist upon us the equality of the races. Political equality and social equality cannot be separated. One leads to the other."

JAN 22 1943

Refers or to prescribe the qualifications for voting. Both freedom and the rights of the states would thus be invaded.

JAN 22 1943

Rep. Abernethy: "Anyone who would introduce measures like these is doing more to retard the progress of the war and unity of the people than any other measure that could be introduced. Evidently some of the promoters seem to be members of the Democratic party who don't appreciate the fact that southern Democrats held the party together and saved it from complete collapse a few years ago. Instead of being rewarded for saving it, they're casting stones upon our heads—which they will long regret."

Rep. Winstead: "I can't understand why anyone would bring up such questions at this time. This is no time, regardless, for meddling into our rights and privileges."

NEGROES SOUTHERN PROBLEM

JAN 22 1943

Rep. Colmer: "I've always consistently opposed such legislation, as the Negro problem is peculiarly a southern problem. Naturally I'll continue to oppose it. There is no likelihood of such legislation being enacted. It is mostly political football which certain members from the east, where there are heavily populated Negro sections, use for their own purpose."

Rep. McGehee: "Of course I will oppose both proposals with all the influence and power I may have. This is a most inopportune time to introduce such controversial legislation. It has a tendency to create strife among the membership when the thought and effort of every number should be put forth to fostering legislation which will win the war shortly.

Said Sen. Bilbo, "Since these bills have been introduced it is evident that these crackpots will try to push this unconstitutional legislation through regardless of the war and the constitution. I have begun preparing two speeches to filibuster each of them for 60 days-they shall not pass.

Rep. Rankin: "Undoubtedly the bills will die in committee. This is no time for legislative insanity."

Rep. Whitten: "Naturally we are very much against this legislation. I don't think it is a service to the nation to bring up such controversial measures at this time. I will fight them from beginning to end."

JAN 22 1943

STATES SOLVE PROBLEM

Rep. Whittington: "Lynching is fast disappearing. The states are solving the problem. Federal anti-lynch laws will both delay and hinder the complete eradication of lynching. The revival of the federal anti-poll tax issue would be most unfortunate. It would cause disunion when unity is most essential in the war effort. Suffrage is for the states. Congress has no constitutional authority to in-

Memphis, Tenn., Commercial Appeal
January 17, 1943

Five Plead Innocence In Mob Lynching Case

At Hattiesburg, Miss., five Jones County residents on Wednesday pleaded innocent when arraigned on indictments charging violation of civil rights in connection with the mob lynching of Howard Wash, aged negro dairy employe of Laurel.

Wash was forcibly removed from the Jones County jail on the night of Oct. 16 by a mob of between 50 and 100 men following his conviction in the slaying of Clint Welborn, aged dairyman of Laurel.

Indicted by a Federal Grand Jury sitting at Jackson, Miss., in the case were Luther Holder, deputy sheriff and Jones County jailer; Allen Welborn Pryor of Laurel, cousin of the murdered man; Barner Jones, Nathanial Shotts and William Oscar Johnson, all of Laurel.

Birmingham, Ala. News
January 13, 1943

Five Mississippi Men Indicted In Jones County Lynching Case

Deputy Sheriff-Jailer Among Them; Test Of Legal Angles To Be Sought In Jackson Trial

JACKSON, Miss. — (AP) — The United States government took a Southern Negro lynching to court here Tuesday when a district Grand Jury indicted five men, one of them a deputy sheriff-jailer, under civil liberties statutes.

U. S. Marshal W. T. Reese said Wednesday warrants had been issued for the five men indicted here Tuesday by a Federal Grand Jury under civil liberties statutes in connection with a Negro lynching, but that no arrests had been made up to late morning.

Gov. Paul B. Johnson, of Mississippi, who had expressed hope some time ago that the lynchers would be punished, still declined Wednesday to comment.

The first reaction here came from The Jackson Daily News which commented editorially that some local attorneys "frankly say they regard it as another attempted federal invasion of states' rights."

Frank Coleman, of Roanoke, Va., special assistant to the attorney general who indicated he expected a test of the statutes, described the indictments as "based on theory of law not yet passed upon by the Supreme Court" which would chart a new law course in such matters."

William Oscar Johnson, a farmer; Nathanial Shotts, employe of a wholesale firm; Allen Pryor and Barney Jones, employes of a manufacturing plant, and Luther Holder Jones County deputy sheriff and jailer, were charged in the indictments.

Coleman said his department's investigation indicated that Johnson, Pryor, Jones and Shotts were leaders of a mob of from 50 to 100 men which took Howard Wash, 49-year-old Negro farm hand, from the Jones County Jail at Laurel and hanged him from a bridge the night of Oct. 16, 1942.

Wash had been convicted the day before for killing his white employer, Clint Welborn, with a milk pail when Welborn reprimanded him for being late to do his chores.

Mobile, Ala., Register
January 13, 1943

U. S. Grand Jury Bills Five In Lynching Case

Four Private Citizens And Deputy Sheriff Are Charged In Connection With Death Of Negro At Laurel Last October

JACKSON, Miss., Jan. 12.—(AP)—A federal grand jury late today returned two indictments charging four private citizens and a deputy sheriff, all of Jones County, Miss., with a violation of federal civil rights statutes in the lynching of Howard Wash, negro, at Laurel, Miss., on the night of October 16, 1942.

The first indictment named Nathanial Shotts, Allen Pryor, Barney Jones, and William Oscar Johnson. The second indictment named these four and in addition Luther Holder, deputy sheriff and Jones County jailor.

Frank Coleman, Roanoke, Va., special assistant to the United States Attorney General, announced the indictments. Coleman described the indictmetns as the first of their type, involving an officer, in the country's history, and the third of their general type on record.

Count two of the second indictment charges Holder, the deputy, with refusing to protect the negro by "using those reasonable means which were available to him, and particularly by locking a single mob-proof door, the key to which he had in possession."

Wash had been convicted in the local court on October 16 for the killing of Clint Welborn, a white resident of the community, and was awaiting a mandatory life sentence when the mob lynched him by hanging him from a bridge near the scene of the crime.

The life sentence was mandatory under Mississippi law, the jury having voted 10 to 2 against capital punishment.

Pryor and Jones were described as employed in a manufacturing plant near Laurel, Johnson as a farmer and Shotts as an employe of a wholesale firm.

Trial April 12

Toxey Hall, United States attorney here, said the five would be tried in the Hattiesburg, Miss., district federal court, possibly in the term beginning April 12.

The first indictment, Coleman reported, contained two counts, charging Shotts, Pryor, Jones and Johnson with conspiring to persuade state officers "acting under cover of the law to deprive Wash of his life without due process of law, to deny him equal protection under the law and to inflict upon him unusual and different punishment because of his color."

Orangeburg, S. C., Times & Democrat
January 13, 1943

FIVE ARE INDICTED IN LYNCHING CASE

JACKSON, Miss., Jan. 12. (AP)—A federal grand jury today indicted five men, including a deputy sheriff, on charges of violating federal civil rights statutes in the lynching of Howard Wash, negro, at Laurel, Miss., on the night of Oct. 16, 1942.

In the south in recent years, Court officials said the all-white jury took two ballots.

The charges grew out of the lynching Oct. 16, 1942, of Howard Wash, 49 year old Negro, taken from the county jail by a mob and hanged from a bridge. Wash had been convicted of slaying his employer, Clint Welborn, and was awaiting a mandatory life sentence.

Chicago Tribune
Chicago, Illinois

U. S. INDICTS 5 AS LEADERS IN NEGRO LYNCHING

JAN 13 1943

Jackson, Miss., Jan. 12 (AP).—A federal grand jury late today returned two indictments charging four private citizens and a deputy sheriff, all of Jones county, Miss., with violation of federal civil rights statutes in the lynching of Howard Wash, Negro, at Laurel, Miss., on the night of Oct. 16, 1942.

The first indictment named Nathanial Shotts, Allen Pryor, Barney Jones, and William Oscar Johnson. The second indictment named these four and in addition Luther Holder, deputy sheriff, and Jones county

Chicago Tribune
Chicago, Illinois

THREE GO FREE IN MISSISSIPPI LYNCHING CASE

JAN 1 1943

37g-1943

MISSISSIPPI

7029

Amsterdam Star-News
New York, N. Y.

JAN 16 1943

OFFICER FAILED TO PROTECT HIS LAUREL PRISONER, JURY AVERS

JACKSON, Miss. (Special)—A deputy sheriff and four other men were indicted Tuesday afternoon by a federal grand jury on a charge of violating the federal civil rights statutes in connection with the lynching on Oct. 16 of Howard Wash at Laurel, Miss.

Special Assistant Attorney-General Frank Coleman of Roanoke, Va., who is in charge of the investigation, said this was the second time in United States history that an indictment of this kind has been returned and the first time that such an indictment has involved an officer of the law.

In 1904 an Alabama federal grand jury voted lynch indictments, but the case never came to trial because the Supreme Court sustained a demurrer.

JAN 16 194

Two Indictments Voted.

There were two indictments voted in the Laurel case. The first named Nathaniel Shotts, Allen Pryor, Barney Jones and William Oscar Johnson. The second named these four men and in addition Luther Holder, deputy sheriff and Jones County jailer.

Holder was charged in one count with refusing to protect the prisoner by "using those reasonable means which were available to him, and particularly by not locking a single mob-proof door, the key to which he had in his possession." The four civilians were described as ring leaders of the mob estimated at between 50 and 100 persons.

Wash, whose lynching followed by five days the lynching in nearby Clark County of two 14-year old colored boys who had been arrested on charges of attempting to rape a 13-year-old white girl, had been convicted of killing a white man. He was awaiting a mandatory life sentence. The jury that convicted Wash had voted 10 to 2 against capital punishment. The local United States Attorney said the five men would be tried in the district Federal Court at Hattiesburg, possibly in the term beginning April 12.

Commenting on the Mississippi action, Roy Wilkins, assistant secretary of the NAACP, said:

"This indictment represents the forward step on the part of the government and the State of Mississippi. It remains to be seen what will happen when the indicted men are placed on trial."

New York Times
New York, N. Y.

JAN 13 1943

Federal Jury in Mississippi Says Civilians Led Mob and Officer Let It Take Negro

JAN 13 1943

JACKSON, Miss., Jan. 12 (AP)—A Federal Grand Jury late today returned two indictments charging four private citizens and a deputy sheriff, all of Jones County, with violation of Federal civil rights statutes in the lynching of Howard Wash, Negro, at Laurel, Miss., on the night of Oct. 16, 1942.

The first indictment named Nathaniel Shotts, Allen Pryor, Barney Jones, and William Oscar Johnson. The second indictment named these four and in addition Luther Holder, deputy sheriff and Jones County jailer.

Frank Coleman of Roanoke, Va., special assistant to the United States Attorney General, announced the indictments and said his department's investigation indicated that the four citizens were "ring leaders" of a mob estimated at between 50 and 100.

JAN 13 194

Mr. Coleman described the indictments as the first of their kind, involving an officer, in the country's history, and the third of this general type on record.

One count of the second indictment charges Holder, the deputy, with refusing to protect the Negro by using "those reasonable means which were available to him, and particularly by locking a single mob-proof door, the key to which he had in possession."

The lynched man had been convicted in the local court on Oct. 16 for the killing Clint Welborn, a white resident of the community, and was awaiting a mandatory life sentence when the mob lynched him by hanging him from a bridge near the scene of the crime.

The life sentence was mandatory under Mississippi law, the jury having voted 10 to 2 against capital punishment.

Pryor and Jones were described as employes in a manufacturing plant near Laurel, Johnson as a farmer and Shotts was an employe of a wholesale concern.

Toxey Hall, United States Attorney here, said the five would be tried in the Hattiesburg, Miss., district Federal court, possibly in the term beginning April 12.

The first indictment, Mr. Coleman reported, contained two counts, the first of which charged Shotts, Pryor, Jones and Johnson with conspiring to persuade State officers "acting under cover of the law to deprive Wash of his life without due process of law, to deny him equal protection under the law and to inflict upon him unusual and different punishment because of his color." This, Mr. Coleman said, was in violation of Section 52, Title 18, Section 88, and Section 550, Title 18, United States Code.

JAN 14 1943

The second count charged them with "conspiring themselves to oppress and injure Howard Wash in his enjoyment of his Constitutional rights," in violation of Section 51, Title 18, United States Code.

ALLEGED TO HAVE TAKEN PART IN Savannah Tribune Mob Murder of Howard Wash on Oct. 16, 1942 At Laurel Savannah Ga.

JAN 14 1943

Jackson, Tenn., Jan. 12—Following the lynching of Howard Wash, a Negro, at Laurel, Miss., on October 16,1942, a federal grand jury today indicted five men, among them a deputy sheriff, on charges of violating civil rights statutes in the case of Wash.

JAN 14 1943

One indictment named Nathaniel Shotts, Allen Pryor, Barney Jones and William Oscar Johnson and a second named these four and, in addition, Luther Holder, deputy sheriff and Jones county jailor.

Frank Coleman, Roanoke, Va., special assistant to the United States Attorney General, announced the indictments and said his department's investigation indicated the four citizens were "ring leaders" of a mob estimated at between 50 and 100.

Coleman said that this was the second time in United States history that such an indictment had been returned but the first time such an indictment had involved an officer of the law. The Justice Department said the first occasion was in 1904 in Alabama, but the case was not tried because the Supreme Court sustained a demurer to the indictment.

Count 2 of the second indictment charge Holder, the deputy, with refusing to protect the Negro by "using those reasonable means which were available to [illegible] Wash had been convicted in the local court on October 16 for the killing of Clint Welborn, a white resident of the community and was awaiting a mandatory life sentence when the mob lynched him by hanging him from a bridge near the scene of the crime.

JAN 14 1943

The first indictment, Coleman reported, contained two counts charging Shotts, Pryor, Jones and Johnson with conspiring to persuade state officers "acting under cover of the law, to deny him equal protection under the law and to inflict upon him unusual and different punishment because of his color."

Pryor and Jones were described as employes in the manufacturing plant near Laurel Johnson as a farmer and Shotts as an employe of a wholesale firm.

JAN 14 1943

Argus
St. Louis, Missouri

INDICT FIVE MOBBISTS IN MISS.

U. S. Grand Jury Action First Of Kind

JACKSON, Miss., Jan. 12.—Unlike in previous U. S. Grand Jury investigations of lynchings in the states of Missouri and Texas, indictments were returned against five alleged mob leaders here Tuesday. It was the first of their type, involving an officer of the country's history and created great surprise among the population of this deep South state which has the worst lynching record in the country.

JAN 15 1943

The indictment was returned in the case of Howard Wash, of Laurel, Miss., one of three persons who were lynched within a period of a week last October in the vicinity of that town.

JAN 15 194

The probe was led by Frank Colman of Roanoke, Va., special assistant U. S. attorney general. He stated the investigation disclosed that four of those indicted were "ringleaders" of a mob estimated at between 50 and 100. Those named are Nathaniel Shotts, Allen Pryor, Barney Jones and Wm. Johnson. Deputy Sheriff Luther Holder, of Jones County, who allowed the mob to take Wash, was the other one indicted.

Wash was hanged. He was accused of killing his dairy employer with a milk pail during a fight. He claimed self defense. His lynching occurred October 16; October 12 two boys, Charles Lang, 14, and Ernest Green, 13, were hanged from a bridge at Quitman, Miss. They were charged with frightening a white schoolgirl.

World-Telegram
New York, N. Y.

5 in Mississippi Face Lynch Trial

JAN 13 1943

By the United Press

JACKSON, Miss., Jan. 13.—Five Mississippians faced early trial in federal court today charged with having been parties to the lynching of a Negro, thereby depriving the victim of his constitutional rights.

The indictments were returned late yesterday by a federal grand jury made up of white residents. They were the first of their kind returned in the South since 1904.

The lynching victim was Howard Wash, 47, convicted Oct. 16 of murdering his white employer, Clint Welborn, a dairyman. The jury voted 10 to 2 against the death penalty, which made a sentence of life imprisonment mandatory. The next day a mob took Wash from the Laurel (Miss.) jail and hanged him.

JAN 13 1943

Among those indicted was Luther Holder, deputy sheriff, who was still on duty in the Laurel jail last night.

Atlanta, Ga. Constitution
January 13, 1943

Federal Jury Indicts Five in Lynching Case

JACKSON, Miss., Jan. 12.—A federal grand jury late today returned two indictments charging four private citizens and a deputy sheriff, all of Jones county, with violation of federal civil rights statutes in the lynching of Howard Wash, Negro, at Laurel, Miss., on the night of October 16, 1942.

The first indictment named Nathaniel Shotts, Allen Pryor, Barney Jones and William Oscar Johnson. The second indictment named these four and in addition Luther Holder, deputy sheriff and Jones county jailer.

Frank Coleman of Roanoke, Va., special assistant to the United States attorney general, announced the indictments and said his department's investigation indicated the four citizens were "ring leaders" of a mob estimated at between 50 and 100.

January 14, 1943

5 Indicted In Negro Lynching To Be Tried In U. S. Court

JACKSON, Miss., Jan. 13 (AP)—The United States government took a Southern Negro lynching to court here yesterday when a district grand jury indicted five men, one of them a deputy sheriff-jailer, under civil liberties statutes.

The first reaction here came from the Jackson Daily News which commented, while the grand jury was in session, that some local attorneys "frankly say they regard it as another attempted federal invasion of states' rights."

Frank Coleman of Roanoke, Va., special assistant to the attorney general who indicated he expected a test of the statutes, described the indictments as "based on theory of law not yet passed upon by the supreme court which would chart a new law course in such matters."

William Oscar Johnson, a farmer; Nathanial Shotts, employe of a wholesale firm; Allen Pryor and Barney Jones, employes of a manufacturing plant, and Luther Holder, Jones county deputy sheriff and jailer, were charged in the indictments.

Coleman said his department's investigation indicated that Johnson, Pryor, Jones and Shotts were leaders of a mob of from 50 to 100 men which took Howard Wash, 49-year-old negro farm hand, from the Jones county jail at Laurel and hanged him from a bridge.

Frank Coleman of Roanoke, Va., special assistant to the attorney general who indicated he expected a test of the statutes, described the indictments as "based on theory of law not yet passed upon by the Supreme Court" which would "chart a new law course in such matters."

William Oscar Johnson, a farmer; Nathanial Shotts, employe of a wholesale firm; Allen Pryor and Barney Jones, employes of a manufacturing plant, and Luther Holder, Jones County deputy sheriff and jailer, were charged in the indictments.

Coleman said his department's investigation indicated that Johnson, Pryor, Jones and Shotts were leaders of a mob of from 50 to 100 men which took Howard Wash, 49-year-old, Negro farm hand, from the Jones County jail at Laurel and hanged him from a bridge.

Wash had been convicted the day before for killing his white employer, Clint Welborn, with a milk pail when Welborn reprimanded him for being late to do his chores. Only two of the 12 jurors voted for capital punishment, making a life sentence mandatory.

Jailer Holder was charged with failure to take any steps to secure the jail and Wash "as was his duty and within his power to do by locking a single mob-proof steel door."

The other four were accused of conspiring to persuade State officers to deny Wash "equal protection under the law and to inflict upon him unusual and different punishment because of his color."

Maximum penalties under the civil liberties statutes provide a fine of $5,000 and 10 years imprisonment.

A Jones County grand jury was called into session to investigate the lynching but reported without mentioning it.

Court officials declined to say when the five men would be arraigned on the charges but indicated that the case probably would be tried in Hattiesburg in April.

Coleman said this was the first time in U. S. court history that an officer of the law had been involved in such an indictment and the second time that such action had been taken. The first occasion was in 1904, in Alabama, but the case was not tried because the Supreme Court sustained a demurrer.

Investigation of the case, undertaken, Coleman said, upon recommendation of the Civil Rights Section of the Criminal Division, showed that Welborn's relatives had been told not to expect a conviction of murder.

Wash also, the probe revealed, had expected to be lynched as he had kissed his wife and baby goodbye that afternoon and given the baby his last dollar.

Deputy Sheriff Lester Welch of Jones County said the day after the lynching that a group of men had been to the jail a few nights earlier and demanded the keys, but left when refused. Precautions were taken after that, Welch said, with deputies sleeping in the courthouse.

Sheriff J. Press Reddoch said the mob, armed with guns, brushed him and several deputies aside and took the keys from jailer Holder.

"It seems that a theory is in the mind of Attorney General Biddle that lynching lowers the morale of the armed forces, and gives the Axis excuse for the distribution of propaganda to the effect that there is widespread race prejudice and discrimination in this country," the Jackson Daily News commented yesterday.

Dothan, Ala. Eagle
January 13, 1943

U. S. Indicts Five, Including Officer In Negro Lynching

JACKSON, Miss. (AP) — The United States Government took a Southern Negro lynching to court here yesterday when a District Grand Jury indicted five men, one of them a deputy sheriff-jailer, under civil liberties statutes.

The first reaction here came from the Jackson Daily News which commented, while the Grand Jury was in session, that some local attorneys "frankly say they regard it as another attempted Federal invasion of states' rights."

Chicago Defender
Chicago, Illinois
JAN 23 1943

5 PLEAD NOT GUILTY IN LYNCH CASE

U. S. Indictment Up To April 12 Session Of Federal Court

HATTIESBURG, Miss. — Five white men, indicted by a federal grand jury earlier this week on charges of having violated the federal civil rights statute in connection with the lynching of Howard Wash at Laurel, October 16, pleaded not guilty when arraigned before U. S. Commissioner W. E. Estes, Wednesday.

All five were released on $1,500 bonds each, returnable at the April 12 session of the federal court here.

The men, including a jailer and a deputy sheriff, Luther Holder, are Allen Welborn Pryor, Barney Jones, Nathaniel Shotts, and William Oscar Johnson. All are residents of Laurel.

The intervention of the federal government in the case was unpopular here if the reaction of the Jackson Daily News is typical of the community attitude.

State Rights Cited

In an editorial, the day after the indictments were voted, it declared that some local lawyers "frankly say they regard it as another attempted federal invasion of states rights."

Frank Coleman, of Roanoke, Va., special assistant to the attorney general, described the indictments as based on a theory of law not yet passed upon by the Supreme Court.

Coleman said his department's investigation revealed that Pryor, Jones and Shotts were leaders of a mob of from 50 to 100 white men which took Wash, 49-year-old farm laborer, from the Jones county jail at Laurel and hanged him.

Wash had been convicted the day before of killing his white employer, Clint Welborn, with a milk pail following an argument.

No Protection

Holder, the jailer, was charged with having failed to provide protection for his charge "as was his duty by locking a single mob-proof steel door."

JAN 23 1943

Maximum penalties under the civil liberties statute are a fine of $10,000 and 10 years imprisonment.

Gov. Paul B. Johnson, who denounced the lynching at the time, did not comment on the indictments.

The lynching of Wash followed by five days the Clark county lynching of two 14-year-old boys charged with having attempted to commit rape upon a 13-year-old white girl.

Wash, who was kidnaped from the "mob proof" Laurel jail where he was lodged after a jury had convicted him of the slaying of Clint Welborn, his employer, was allowed to see his wife and three-year-old baby earlier in the evening. He asked one of the mobsters to give a silver dollar he had in his pocket to his child before the noose was tightened around his neck.

JAN 23 1943

It was also disclosed that FBI agents learned that the family of Welborn was told confidentially by the district and prosecuting attorneys that in their opinion the facts were not sufficient for the supreme court to uphold a murder verdict in the event Wash was found guilty.

Informed sources indicated that this and other information would be used again. the accused men.

Columbia, S. C. Record
January 13, 1943

Five Indicted In Lynch Case

Federal Invasion of State Rights Charged By Paper In Mississippi

JACKSON, Miss., Jan. 13—(AP)—The United States government took a southern Negro lynching to court here yesterday when a district grand jury indicted five men, one of them a deputy sheriff-jailer, under civil liberties statutes.

The first reaction here came from the Jackson Daily News which commented editorially that some local attorneys "frankly say they regard it as another attempted federal invasion of states' rights."

Frank Coleman of Roanoke, Va., special assistant to the attorney general who indicated he expected a test of the statutes, described the indictments as "based on theory of law not yet passed upon by the supreme court" which would "chart a new law course in such matters."

William Oscar Johnson, a farmer; Nathaniel Shotts, employe of a wholesale firm; Allen Pryor and Barney Jones, employes of a manufacturing plant, and Luther Holder, Jones county deputy sheriff and jailer, were charged in the indictments.

Coleman said his department's investigation indicated that Johnson, Pryor, Jones and Shotts were leaders of a mob of from 50 to 100 men which took Howard Wash, 49-year-old Negro farm hand, from the Jones county jail at Laurel and hanged him from a bridge on the night of October 16, 1942.

Wash had been convicted the day before for killing his white employer, Clint Welborn, with a milk pail when Welborn reprimanded him for being late to do his chores. Only two of the 12 jurors voted for capital punishment, making a life sentence mandatory.

Jailer Holder was charged with failure to take any steps to secure the jail . . . "as was his duty and within his power to do by locking a single mob-proof steel door."

The other four were accused of conspiring to persuade state officers to deny Wash "equal protection under the law and to inflict upon him unusual and different punishment because of his color."

Maximum penalties under the civil liberties statutes provide a fine of not more than $5,000 and imprisonment for not more than ten years.

Court officials indicated that the case probably would be tried in Hattiesburg in April.

Coleman said this was the first time in U. S. court history that an officer of the law had been involved in such an indictment and the second time that such action had been taken. The first occasion was in 1904 in Alabama, but the case was not tried because the supreme court sustained a demurrer.

Peoples Voice
New York, N. Y.

US Indicts Five In Lynching Trial

JACKSON, Miss.—This week a federal grand jury here indicted five men, including a deputy sheriff, in connection with the lynching of Howard Wash, 49, at Laurel, Miss., on Oct. 17, 1942. Local authorities had failed to press charges, even tho scores of Laurel citizens know the guilty persons.

A tensive FBI investigation and edy, two teen-age youths were charged violation of the U.S. Civil lynched only 30 miles away from Rights statutes. this scene.

Wash was convicted for the murder of his white employer, a dairyman, had confessed, would have received a life imprisonment term —if a mob had not taken him from the Jones County jail and lynched.

Just five days before this trag-

The indictments followed an ex-

Advertiser
Montgomery, Ala.

Five White Men Face Trial Today On Lynching Charges

APR 1 2 1943

HATTIESBURG, MISS., April 11.—(U.P.)—Five white men were scheduled to go on trial before Federal Court in this deep South town tomorrow, charged with having been parties to the lynching of a negro who killed his employer.

Federal Judge S. C. Mize will hear the case of a deputy sheriff and four other Mississippi men who allegedly led a mob which hanged Howard Wash, 47-year-old negro dairy worker from a railroad bridge after he was convicted at Laurel, Miss., last Oct. 16 of beating to death with a milk pail Clint Welborn, his boss.

Wash was convicted of that crime and sentenced to serve life in prison after a jury failed to agree on his punishment. Only a few hours after the sentence was passed, some 75 to 100 men stormed the Jones County jail at Laurel, took Wash and strung him up. APR 1 2 1943

The men who go to trial for his lynching are Luther Holder, deputy sheriff who was in charge of the "mob proof" jail from which Wash was taken; Nathanel Shotts, wholesale firm employe; Allen Pryor, cousin of Welborn, and Barney Jones, manufacturing plant employees, and William Oscar Johnson, farmer.

Federal grand jury indictments were returned against all but the deputy sheriff on Jan. 12, charging them to cause State officers to deprive Wash of his life without due process of law; to deny him equal protection under the Constitution and to inflict "unequal and different punishment because of his race and color." Another count charges them with committing an offense against U. S. laws. APR 1 2 1943

The second indictment charged Deputy Holder with refusing to protect Wash by "those reasonable means which were available to him." The prosecuting attorney alleged that Holder could have prevented the lynching by locking a single mob-proof door.

The indictments were returned under three sections of the U. S. code which activate the civil liberties rights of the Constitution.

If convicted, the four men would be subject to maximum penalties of $16,000 in fines and 13 years in prison. Maximum punishment for the charge against Deputy Holder is $1,000 fine and one year in prison.

Bystander
Des Moines, Iowa

Three Georgians Indicted By Federal Grand Jury

APR 1 5 1943

APR 1 5 1943

Washington, D. C.—Attorney General Francis Biddle announced this week that a Federal Grand Jury at Macon, Georgia, returned an indictment on three counts April 10, 1943, charging two Baker county law officers and a Newton (Ga.) city policeman with violation of the Federal civil rights statutes in the killing of Robert Hall, a Negro, on the night of January 23, 1942. APR 1 5 1943

Named as defendants in the indictment were the following, all of Newton, Ga.: APR 1 5 1943

M. Claude Screws, sheriff, and Jim Bob Kelley, deputy sheriff, of Baker county, Ga.; and Frank Edward Jones, Newton city police officer.

The indictment charges that about midnight on January 23, 1943, the defendants arrested Hall at his home and transposted him to the court house square, in Newton, where they beat him into insensibility. It is charged in the indictment that Hall died the same night, shortly after being taken to a hospital at Albany, Ga. APR 1 5 1943

The three counts of the indictment specifically charge violation of Section 51, 52 and 88, Title 18, U. S. Code, carrying a combined maximum penalty of thirteen years imprisonment and $16,000 in fines. Section 88 penalizes conspiracy to violate Section 52 (depriving persons of their civil rights under the color of state law), while Section 51 punishes conspiracy to injure persons in the exercise of their civil rights.

The case, which was based uopn results of an investigation by the FBI, was presented to the Grand Jury, by T. Hoyt Davis, U. S. Attorney for the Middle District of Georgia, and G. Maynard Smith, Special Assistant to the Attorney General.

Birmingham Post
Birmingham, Alabama

MISSISSIPPI LYNCH TRIAL OPENS TODAY

APR 1 9 1943

By United Press.

HATTIESBURG, Miss., April 19.—The trial of a deputy sheriff and four other Laurel, Miss., white men charged in connection with the lynching of a convicted Negro murderer was scheduled to get under way here today in Federal Court.

Judge S. C. Mize will hear the trial of Luther Holder, deputy sheriff indicted by a Federal Grand Jury on a charge of failing to adequately protect his prisoner last Oct. 12, when Howard Wash, 49-year-old Negro was taken from his cell in the "mob-proof" Jones County Jail at Laurel and strung up on a railroad bridge. APR 1 9 1943

Nathaniel T. Shotts, Barney Jones, Allen Pryor and William O. Johnson were indicted as leaders of the mob of 75 to 100 men which hanged Wash. They face charges of depriving Wash of his life without due process in violation of civil liberties statutes.

Wash was convicted last Fall of murdering his employer, Clint Welborn, dairy owner, with a milk pail. The Negro testified at his trial that he beat Welborn to death when his employer attempted to attack him with a spade because he was late to work. APR 1 9 1943

Advertiser
Montgomery, Ala.

Lynching Case Opens Monday

APR 1 8 1943

Federal Court Will Try Five Accused Of Negro Death

HATTIESBURG, MISS., April 17.—(AP)—What Federal attorneys have described as a "new course in law" will go on trial here Monday along with five men under the first Federal indictment in 40 years in connection with a Southern negro lynching.

The five Laurel, Miss., men, including a deputy sheriff-jailer are charged with conspiracy to deprive Howard Wash, lynched negro, of his "constitutional rights" under Federal civil liberties statutes. APR 1 8 1943

The "new course" presumably concerns the status and application of the civil liberties statute particularly in light of congressional refusal to adopt Federal anti-lynching law. The prosecution admittedly hopes to bring the case before the Supreme Court. APR 1 8 1943

Federal Judge Sidney Mize already has blocked what was apparently the first effort to prosecution to establish one such point, when in arraignment proceedings last Monday he declined a prosecution request that he rule on the validity of the indictment.

Frank Coleman, special assistant to Attorney General Biddle, had suggested a "constitutional issue" was involved, after prosecution admittedly was caught by surprise when defense attorneys did not file a demurrer.

Should the trial verdict be innocent, it was explained, the case apparently would be ended without establishing the "new course" on a national basis. APR 1 8 1943

A similar case in Alabama courts in 1903 failed to reach the Supreme Court, Coleman said, because the charges were nullified through action on a demurrer. APR 1 8 1943

New York Times
New York, N. Y

REFUSES TO FREE 3 IN LYNCHING TRIAL

Federal Judge in Mississippi Holds Cases Must Go to Jury in Conspiracy Case

APR 2 3 1943

DEFENSE PLEA OVERRULED

Move to Establish Good Reputation and Alibi for Accused Men Is Then Begun

APR 2 3 1943

Special to THE NEW YORK TIMES.

HATTIESBURG, Miss., April 22—Asserting that "conspiracy of a necessity must be proved by circumstantial evidence," Federal Judge Sidney C. Mize held today that there were "sufficient circumstances as to the three defendants now on trial to go to the jury on a question of conspiracy" and overruled a defense motion for a directed verdict of not guilty in the cases of three remaining defendants in the trial involving civil liberties statutes in connection with the lynching of Howard Wash.

After the government yesterday asked for directed verdicts in the cases of Nathaniel Shotts and William Oscar Johnson, attorneys for the defense decided to request similar action for the three remaining defendants, Luther Holder, deputy sheriff and jailer; Allen W. Pryor and Barney Jones.

The basis for the defense motion which was denied was that "the government has wholly failed to establish the crime laid in the two indictments and the separate counts thereof. APR 2 3 1943

"It has failed to establish the existence of a conspiracy on the part of the defendants herein," the defense said. APR 2 3 1943

"It has wholly failed to establish by the testimony in the case that the defendant, Luther Holder, the State officer, was a party to the alleged conspiracy, and therefore the court does not have jurisdiction over the trial of the defendants or either of them."

When the motion failed, the defense began at once efforts to establish that the reputation of Pryor was good. That move was followed by witnesses whose testimony was intended to establish an alibi for oJnes, who had been identified by Sheriff J. Press Reddoch as a member of the group which surrounded the County Jail before the victim was taken out.

The case may be concluded Saturday. APR 2 3 1943

Age-Herald
Birmingham, Ala

LYNCHING TRIAL POSTPONED DAY

APR 20 1943

Carryover Cases Bring Delay In Civil Rights Case Hearing

APR 20 1943

HATTIESBURG, Miss., April 19—(AP)—Federal Judge Sidney Mize announced late Monday that trial of five Jones County white men on charges of violating the civil rights statute as a result of the lynching of a Negro at Laurel would definitely open Tuesday.

Delay in getting to the case Monday, as regularly scheduled, was due to carry over from last week's court session of several eminent jurists until Tuesday. Judge Mize warned them to be on hand at 9:30 o'clock. During the noon prosecution and defense attorneys conferred with their witnesses in order to speed up the trial.

County Jail at Laurel the night of Oct. 16, 1942, by a mob of white men and hanged from a railroad bridge. APR 20 1943

court of the murder of Clint Welborn, his white employer, and Daniel T. Shotts, Allen Pryor, Barney Jones and William Oscar Johnson. APR 20 1943

Amsterdam Star-News
New York, N. Y.

MAY 15 1943

Good, But Not Good Enough

On Oct. 16, 1942, an all-white jury convicted Howard Wash, a Negro citizen of Laurel, Miss., of murdering a white man, but refused to fix a death penalty. Because the jury did not fix a death penalty, which was indeed most unusual in a case of this kind in Miss., it was generally believed that Wash was innocent of the crime.

Following the refusal of the jury to send him to the electric chair, a mob of 100 white men stormed the Laurel county jail on the night of Oct. 16 of last year, grabbed Wash, took him to a nearby bridge and hanged him from it. Then the U. S. Department of Justice stepped in, investigated the lynching. As a result, five white men were indicted and brought to trial in a federal court in Hattiesburg, Miss., on April 20, of this year under the provisions of the Federal Civil Liberties law. Their trial marked the first time in history that any person has been tried by a jury for the heinous crime of lynching.

Of course, the all-white jury brought in a verdict of not guilty and the five men are scott free today. And while it is notable that the federal government finally brought white persons before the bar of justice for lynching a Negro citizen, it is not enough. Law and order and legal justice for both black and white can exist only when and if the federal government convicts lynchers and other prostitutes of human and legal rights in the South. While we would like to believe that the Hattiesburg trial is a step in this direction, we deem it discreet to refrain from saying so, because the record of the federal government in dealing with lynchings is practically as bad as those of the southern states. As a matter of fact, the federal government, by its long silence, has, in effect condoned lynching.

MAY 15 1943

Until the government recognizes the fact that there can be no unity or democracy in the U. S. during this war, or after it, until it sees to it that all citizens, regardless of color, receive equal justice in its courts, the Hattiesburg trial is nothing more than a symbol of its own weakness. The mere formality of a trial of men charged with lynching an American citizen is not enough. Not by a long shot.

New York Times
New York, N. Y

JURY FREES 3 MEN IN LYNCHING TRIAL

Mississippians Acquitted in Federal Court in Case Involving Negro Taken From Jail

FIRST SUCH ISSUE IN YEARS

Two Ballots Taken by Jurors —Mob Victim Was Accused of Slaying His Employer

HATTIESBURG, Miss., April 24 (AP)—A Federal Court jury freed three Jones County citizens here today of civil liberties charges in connection with the lynching of a Mississippi Negro, thus ending the first Federal action taken against white men in a Southern lynching in forty years.

The jury of twelve men received the case at 10:58 P. M. yesterday, and returned its verdict of acquittal at 9:14 A. M. today, just fourteen minutes after court was convened.

Federal Judge Sidney C. Mize polled the jury and found the verdict was unanimous, acquitting the defendants, Luther Holder, Jones County deputy sheriff and jailer; Barney Jones and Allen Pryor.

"I am a happy man," said Deputy Holder and the others.

The three men were accused by the government of conspiring with an armed mob which broke into the Jones County jail at Laurel the night of Oct. 16, 1942, seized Howard Wash, the Negro, and lynched him.

Wash had been convicted a few hours earlier of murdering his white employer, Clint Welborn, and was awaiting sentence to life imprisonment.

The charges, brought originally against five Jones County men, had been intended by the attorney general to be carried before the Supreme Court of the United States in a test of application of the civil liberties statute in a lynching case, but the verdict of acquittal apparently closed that avenue.

The men were charged with depriving Wash of his life without due process of law. Two defendants, Nathaniel T. Shotts and William Oscar Johnson, were freed of charges earlier in the trial on government motion because of lack of sufficient evidence.

Government counsel would not comment beyond reference in the arguments to the jury in which they denied that the question of Federal encroachment on States' rights had entered the case.

It was reported, however, that Federal attorneys would refer to State prosecutors evidence seeking to establish a case of murder.

The Federal charges were filed in this case after a Circuit Court grand jury had been charged to investigate the lynching but failed to return any indictments.

The Daily Worker
New York, N. Y.

Miss. Sheriff Identifies Two As Lynchers

By Mary Southard
(Special to the Daily Worker)

HATTIESBURG, Miss., April 22.—The Federal prosecution held the line this morning in the historic lynching trial here when Judge Sidney Mize overruled a defense motion of not guilty against the three remaining defendants, Luther Holder, sheriff, Barney Jones, and Allen Pryor.

Yesterday after introducing a confession by one of the five men originally charged with violating the civil liberties statutes in the lynching of Howard Wash, Negro, near Laurel, Mississippi, last October, the government advised Judge Mize it was withdrawing charges against two of the accused —Oscar Johnson, farmer, and Nathaniel Shotts—on grounds of insufficient evidence.

The defense tried to seize the offensive and throw the case out of court by applying for directed not guilty verdicts for the other three. In overruling their motion Judge Mize stated: "Conspiracy must of necessity be proved by circumstantial evidence. I think there are sufficient circumstances as to the three defendants now on trial to go to the jury on a question of conspiracy."

SHERIFF IDENTIFIES

Chief witness for the government yesterday was Sheriff J. Press Reddoch of Jones County (Laurel), who, breaking all traditions for peace officers in Southern towns, identified two of the defendants as members of the mob that surrounded and broke into Laurel jail to lynch Howard Wash. Wash was awaiting an automatic life imprisonment sentence after his conviction for the murder of his employer, Clint Welborn, dairyman of Laurel. Further evidence was the introduction by the government of a signed statement by one of the defendants, Allen Pryor, admitting that he was one of the mob that broke open the jail and hanged Howard Wash from Welborn Bridge near Laurel Oct. 16, 1942.

The all-white jury panel consists mostly of farmers from south Mississippi counties. Two Negroes on the prospective jurors list were excused, one by request and one by common consent of prosecution and defense.

National interest in the case which marks the first time in about four decades the federal government has turned in indictments based on the lynching of a Negro in the South was shown in the presence of photographers from Life and Time, representatives of UP AP, INS, the New York Times and Trans-Radio, as well as outstanding Southern newspapers, including the Memphis Commercial Appeal, the St. Louis Post Dispatch, the New Orleans Times Picayune.

New York Times
New York, N. Y

SEEK A JURY TODAY IN LYNCHING TRIAL

Federal Court at Hattiesburg, Miss., Clears Way for Case of Five Under U. S. Law

SHERIFF'S DEPUTY IS ONE

He Is Accused of Not Using Reasonable Means to Save Negro From a Mob

Special to THE NEW YORK TIMES.

HATTIESBURG, Miss., April 19 —The Federal court trial of five men indicted under the Civil Liberties Law in connection with the lynching of Howard Wash, a 48-year-old Negro who had been convicted of murder, will begin here tomorrow. Judge Sidney C. Mize announced this afternoon that selection of jurors will begin tomorrow morning.

The defendants include Deputy Sheriff Luther Holder, who is charged with failing to use "reasonable means" to protect the prisoner. Others are William Oscar Johnson, Nathaniel Shotts, Allen Welborn Pryor and Barney Jones, who are charged with being leaders of the mob of 50 to 100 which, on Oct. 16, 1942, took the Negro from the county jail at Laurel and hanged him from a bridge.

On Oct. 16 Wash had been convicted of murder, but the jury, composed of white men, had refused to fix a capital penalty. As a result he automatically faced life imprisonment.

An investigation was made for the Department of Justice by Frank Coleman of Roanoke, Va., special assistant to Attorney General Francis Biddle, and the Federal indictments were obtained.

Whatever the difference of opinion between Mississippians and Federal intervention it seems certain that the case will go to the Supreme Court. Judge Mize, when the defendants made bond, stated that he would not consider whether the indictments were valid or not; that they would leave it to the Supreme Court. Meanwhile leading citizens are raising a defense fund for the indicted men.

Johnson City, Tenn., Press
January 13, 1943

U. S. Indicts Alleged Mob Leaders For Negro's Death

JACKSON, Miss., Jan. 13. (AP)—The United States government took a southern Negro lynching to court here yesterday when a district grand jury indicted five men, one of them a deputy sheriff-jailer, under civil liberties statutes.

The first reaction her came from the Jackson Daily News which commented editorially that some local attorneys "frankly say they regard it as another attempted federal invasion of states' rights."

Frank Coleman of Roanoke, Va., special assistant to the attorney general who indicated he expected a test of the statutes, described the indictments as "based on theory of law not yet passed upon by the supreme court" which would "chart a new law course in such matters."

William Oscar Johnson, a farmer; Nathanial Shotts, employe of a wholesale firm; Allen Pryor and Barney Jones, employes of a manufacturing plant, and Luther Holder, Jones county deputy sheriff and jailer, were charged in the indictments.

Coleman said his department's investigation indicated that Johnson, Pryor, Jones and Shotts were leaders of a mob of from 50 to 100 men which took Howard Wash, 49-year-old Negro farm hand, from the Jones county jail at Laurel and hanged him from a bridge on the night of Oct. 16, 1942.

Wash had been convicted the day before for killing his white employer, Clint Welborn, with a milk pail when Welborn reprimanded him for being late to do his chores. Only two of the 12 jurors voted for capital punishment, making a life sentence mandatory.

Jailer Holder was charged with failure to take any steps to secure the jail and Wash "as was his duty and within his power to do by locking a single-mob-proof steel door."

The other four were accused of conspiring to persuade state officers to deny Wash "equal protection under the law and to inflict upon him unusual and different punishment because of his color."

Maximum penalties under the civil liberties statutes provide a fine of not more than $5,000 and imprisonment for not more than ten years.

Coleman said this was the first time in U. S. court history that an officer of the law had been involved in such an indictment and the second time that such action had been taken. The first occasion was in 1904 in Alabama, but the case was not tried because the supreme court sustained a demurrer.

Advertiser
Montgomery, Ala.

Grand Jurors Indict Five In Lynching Party

JAN 13 1943

Mississippi U.S.Court To Try Defendants For Stringing Up Negro

JACKSON, MISS., Jan. 12.—(AP)—A Federal grand jury late today returned two indictments charging four private citizens and a deputy sheriff, all of Jones County, Miss., with a violation of Federal civil rights statutes in the lynching of Howard Wash, negro, at Laurel, Miss., on the night of Oct. 16, 1942.

The first indictment named Nathanial Shotts, Allen Pryor, Barney Jones, and William Oscar Johnson. The second indictment named these four and in addition Luther Holder, deputy sheriff and Jones County jailer.

Frank Coleman, Roanoke, Va., special assistant to the U. S. attorney general, announced the indictments and said his department's investigation indicated the four citizens were "ring-leaders" of a mob estimated at between 50 and 100.

JAN 13 1943

Coleman described the indictment as the first of their type, involving an officer, in the country's history, and the third of their general type on record.

Count 2 of the second indictment charges Holder, the deputy, with refusing to protect the negro by "using those reasonable means which were available to him, and particularly by locking a single mob-proof jail, the key to which he had in possession."

Wash had been convicted in the local court on Oct. 16 for the killing of Clint Welborn, a white resident of the community, and was awaiting a mandatory life sentence when the mob lynched him by hanging him from a bridge near the scene of the crime.

The life sentence was mandatory under Mississippi law, the jury voted 10 to 2 against capital punishment.

JAN 13 1943

Pryor and Jones were described as employes in a manufacturing plant near Laurel, Johnson as a farmer and Shotts as an employe of a wholesale firm.

Toxey Hall, U. S. attorney here, said the five would be tried in the Hattiesburg, Miss., District Federal Court, possibly in the term beginning April 12.

Spartanburg, S. C. Journal
January 13, 1943

Lynch Case Is Taken to Federal Court

Mississippi Case Unusual One; Five Men Indicted

JACKSON, Miss., Jan. 13 (AP)—The United States government took a Southern negro lynching to court here yesterday when a district grand jury indicted five men, one of them a deputy sheriff-jailer, under civil liberties statutes.

The first reaction here came from the Jackson Daily News which commented editorially that some local attorneys "frankly say they regard it as another attempted federal invasion of states rights."

Frank Coleman of Roanoke, Va., special assistant to the attorney general who indicated he expected a test of the statutes, described the indictments as "based on theory of law not yet passed upon by the supreme court" which would "chart a new law course in such matters."

William Oscar Johnson, a farmer; Nathanial Shotts, employe of a wholesale firm; Allen Pryor and Barney Jones, employes of a manufacturing plant, and Luther Holder, Jones county deputy sheriff and jailer, were charged in the indictment.

Coleman said his department's investigation indicated that Johnson, Pryor, Jones and Shotts were leaders of a mob of from 50 to 100 men which took Howard Wash, 49-year-old negro farm hand, from the Jones county jail at Laurel and hanged him from a bridge on the night of Oct. 16, 1942.

Wash had been convicted and given a life sentence the day before for killing his white employer, Clint Welborn, with a milk pail when Welborn reprimanded him for being late to do his chores.

Jailer Holder was charged with failure to take any steps to secure the jail and Wash "as was his duty and within his power to do by locking a single-mob-proof steel door."

The other four were accused of conspiring to persuade state officers to deny Wash "equal protection under the law and to inflict upon him unusual and different punishment because of his color."

Maximum penalties under the civil liberties statutes provide a fine of not more than $5,000 and imprisonment for not more than 10 years.

Court officials indicated that the case probably would be tried in Hattiesburg in April.

Governor Paul B. Johnson, who deplored the lynching at the time, did not comment on the indictments. The Laurel lynching followed by only five days the Clark county lynching of two 14-year-old negroes who had entered pleas of guilty to charges of attempted rape of a 13-year-old white girl.

Nashville, Tenn., Banner
January 13, 1943

Deputy Sheriff, 4 Others Indicted in Negro Lynching

Jackson, Miss., Jan. 13 — (INS) — Five men, including a deputy sheriff, are under federal indictment at Jackson today as alleged mob leaders in the lynching last October of Howard Wash, 37-year-old Negro. They are charged with violation of the federal civil rights statutes.

The men indicted by the 23-man Grand Jury, are Deputy Sheriff Luther Holder, jailer where Wash was held prior to the lynching; Barney Jones, Allen Welborn Pryor and Nathaniel Shotts, of Laurel, Miss., and William Oscar Johnson, farmer residing near Laurel.

The Negro was charged with killing Clint Welborn, a dairy farmer near Laurel, when Welborn reprimanded him for being late in doing the work about the farm, records revealed.

A jury found Wash guilty but declared to fix a death penalty. Following the refusal to set the death penalty a mob stormed the Laurel jail, removed the Negro, took him to a nearby railway trestle and hanged him.

Those indicted are expected to be tried during the April term of the Federal Court at Hattiesburg, Miss. Under Mississippi law, maximum penalties for convictions on the charges brought against the five are a $5,000 fine and imprisonment of not more than 10 years.

Chattanooga, Tenn., News
January 13, 1943

Deputy Indicted With Four Others In Lynching Case

JACKSON, Miss., Jan. 13, (AP)—The United States government took a southern negro lynching to court here yesterday when a district grand jury indicted five men, one of them a deputy sheriff-jailer, under civil liberties statutes.

The first reaction here came from the Jackson Daily News which commented editorially that some local attorneys "frankly say they regard it as another attempted federal invasion of states' rights."

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Coleman said his department's investigation indicated that Johnson, Pryor, Jones and Shotts were leaders of a mob of from 50 to 100 men which took Howard Wash, 49-year-old negro farm hand, from the Jones county jail at Laurel and hanged him from a bridge on the night of Oct. 16, 1942.

Wash had been convicted the day before for killing his white employer, Clint Welborn, with a milk pail when Welborn reprimanded him for being late to do his chores. Only two of the 12 jurors voted for capital punishment, making a life sentence mandatory.

Jailor Holder was charged with failure to take any steps to secure the jail and Wash "as was his duty and within his power to do by locking a single-mob-proof steel door."

The other four were accused of conspiring to persuade state officers to deny Wash "equal protection under the law and to inflict upon him unusual and different punishment because of his color."

Maximum penalties under the civil liberties statutes provide a fine of not more than $5,000 and imprisonment for not more than ten years.

Coleman said this was the first time in U. S. court history that an officer of the law had been involved in such an indictment and the second time that such action had been taken. The first occasion was in 1904 in Alabama, but the case was not tried because the Supreme Court sustained a demurrer.

Five Are Indicted By U. S. In Lynching In Mississippi

Courier-Journal Louisville, Ky.

JAN 9 1943

One of Accused Is Jailer

Jackson, Miss., Jan. 12 (AP)—A federal grand jury late today returned two indictments charging four private citizens and a deputy sheriff, all of Jones County, with violation of federal civil rights statutes in the lynching of Howard Wash, Negro, at Laurel, the night of October 16, 1942.

JAN 9 - 1943

The first indictment named Nathanial Shotts, Allen Pryor, Barney Jones and William Oscar Johnson. The second indictment named these four and in addition Luther Holder, deputy sheriff and Jones County jailer.

Frank Coleman, Roanoke, Va., special assistant to the U. S. Attorney General, announced the indictments and said his department's investigation indicated the four citizens were "ring-leaders" of a mob estimated at between fifty and 100.

Coleman described the indictments as the first of their type, involving an officer, in the country's history, and the third of their general type on record.

Age-Herald

Birmingham, Ala

U. S. CHARGE FILED IN LYNCHING CASE

Mississippians Are Indicted For Violating Civil Rights Law

JACKSON, Miss., Jan. 12—(AP)—A Federal Grand Jury late Tuesday returned two indictments charging four private citizens and a deputy sheriff, all of Jones County, Mississippi, with a violation of federal civil rights statues in the lynching of Howard Wash, Negro, at Laurel, Miss., on the night of Oct. 16, 1942.

The first indictment named Nathaniel Shotts, Allen Pryor, Barney Jones, and William Oscar Johnson. The second indictment named these four and in addition Luther Holder, deputy sheriff and Jones County jailor.

JAN 13 1943

Frank Coleman, Roanoke, Ala., special assistant to the U. S. attorney general, announced the indictments and said his department's investigation indicated the four citizens were "ring-leaders" of a mob at between 50 and 100.

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Orangeburg, S. C. Times & Dems
January 18, 1943

LYNCHINGS HAS FEW DEFENDERS.

Five men in Mississippi, one a deputy sheriff-jailer, were recently put on trial by the Federal government under the civil liberties statutes.

They were accused of instigating and participating in the lynching of a Negro, after he had been convicted by a jury and sentenced to life imprisonment for the murder of a white man. The jury verdict precluded the death sentence.

Naturally, there are those in the Southern States who regard this trial as an invasion of states' rights. There is much to be said for the viewpoint. Moreover, public sentiment in the South is undoubtedly against lynching and would, in time, compel local prosecution of lynchers.

Be this as it may the people of the United States, as a whole, have been regaled by stories of lynch-law and they are determined to prevent them if they can. Strangely, the North and the West, where gang murders flourished, were strangely apathetic to such crimes.

Back of the federal laws against lynching is a desire, in some sections, to punish the South. Anything that can be done to discredit the white people in the Southern States is readily accepted by millions of people in other states. However, the advertisement of lynch-law and the brutality of the practice go far to explain the enactment of federal laws.

Regardless of what may have been said about lynch-law in vanished years there exists no excuse whatever for such criminal acts today. No sane-thinking white citizen would defend those who arrogantly take the law into their own hands and attempt to execute those accused of crime.

Montgomery, Ala., Advertiser
January 13, 1943

Grand Jurors Indict Five In Lynching Party

Mississippi U.S. Court To Try Defendants For

Stringing Up Negro

JACKSON, MISS., Jan. 12.—(AP)—A Federal grand jury late today returned two indictments charging four private citizens and a deputy sheriff of Jones County, Miss., with a violation of Federal civil rights statutes in the lynching of Howard Wash, negro, at Laurel, Miss., on the night of Oct. 16, 1942.

The first indictment named Nathanial Shotts, Allen Pryor, Barney Jones, and William Oscar Johnson. The second indictment named these four and in addition Luther Holder, deputy sheriff and Jones County jailer.

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Count 2 of the second indictment charges Holder, the deputy, with refusing to protect the negro by "using those reasonable means which were available to him, and particularly by locking a single mob-proof jail, the key to which he had in possession."

Wash had been convicted in the local court on Oct. 16 for the killing of Clint Welborn, a white resident of the community, and was awaiting a mandatory life sentence when the mob lynched him by hanging him from a bridge near the scene of the crime.

The life sentence was mandatory under Mississippi law, the jury voted 10 to 2 against capital punishment.

Pryor and Jones were described as employes in a manufacturing plant near Laurel, Johnson as a farmer and Shotts as an employe of a wholesale firm.

Toxey Hall, U. S. attorney here, said the five would be tried in the Hattiesburg, Miss., District Federal Court, possibly in the term beginning April 12.

Miss., on the night of October 16, 1942, have been returned by a Federal grand jury sitting at Jackson, the Department of Justice announced on Tuesday.

The indictments follow several months' investigation by the Federal Bureau of Investigation.

Those named in the first indictment are Nathaniel Shotts, Allen Pryor, Barney Jones and William Oscar Johnson. The second indictment names all of the aforementioned and in addition, Luther Holder, deputy sheriff and county jailer of Jones County.

JAN 9 1943

Wash had been convicted in the local courts on October 16, 1942, for the murder of Clint' Welburn, a white resident of the community, and sentenced to life imprisonment. He was temporarily lodged in the county jail at Laurel, which is described in the indictment as being accessible only through a single "mob-proof" steel door, the keys to which were in Holder's possession.

JAN 23 1943

SHERIFF TURNS OVER KEYS

On the night of the lynching, the indictment continues, a mob (estimated at about 100 persons) of which the five defendants were members, assembled at the jail, persuaded Holder to turn over his keys, took Wash from his cell and lynched him.

The first indictment, containing two counts, charged Shotts, Pryor, Jones and Johnson (1) with conspiring to cause State Officers, acting under the color of law, to deprive Wash of his life without due process of law, to deny him equal protection under the law, and to inflict upon him unusual and different punishment because of his race and color in violation of Sections 52, 88, and 550, Title 18, U. S. Code; and (2) conspiring themselves to deprive Wash of the same constitutional rights in violation of Section 51, Title 8, U. S. Code.

JAN 23 1943

The second indictment, also containing two counts, names all of the foregoing defendants, and in addition, Holder, a State officer. Count 1 reiterates the charges of conspiring to deprive Wash of his constitutional rights in violation of Section 51.

Pittsburgh Courier
Pittsburgh, Pa.

Mississippi Jury Indicts Lynchers

JAN 23 1943

Pittsburgh Courier

JAN 23 1943

PITTSBURGH Courier

WASHINGTON, Jan. 21—Two indictments charging four private citizens and a deputy sheriff, all of Jones county, Mississippi, with violations of the Federal Civil Rights statutes in the lynching of Howard Wash at Laurel last October, were acquitted by a Federal Court jury here Saturday after a few seconds after the verdict, written on the backs of the indictments and p.m. until 9 a.m. Saturday. The federal charges grew out of the lynching on Oct. 16, 1942, of 49-year-old Negro, from the county jail at Laurel and hanged from a bridge. Judge Mize overruled the motions.

News
Birmingham, Ala.

Federal Jury Frees Three Mississippians Of Lynching Charges

Verdict Returned After All-White Group Stays Locked Up During Night

HATTIESBURG, Miss. — (AP) — Three Jones County men, charged with violating civil liberty statues in the lynching of a Negro at Laurel last October, were acquitted by a Federal Court jury here Saturday after a few seconds after the verdict, written on the backs of the indictments and p.m. until 9 a.m. Saturday. The federal charges grew out of the lynching on Oct. 16, 1942, of 49-year-old Negro, from the county jail at Laurel and hanged from a bridge. Judge Mize overruled the motions.

The all-white jury was given the case Friday and was ordered locked up by Judge Sidney C. Mize at 10:58 p.m. until 9 a.m. Saturday. The federal charges grew out of the lynching on Oct. 16, 1942, of 49-year-old Negro, from the county jail at Laurel and hanged from a bridge. Judge Mize overruled the motions.

The defendants, Luther Holder, deputy sheriff and jailer, Barney Jones and Allen Pryor, said they were convicted of slaying Clint Welborn, and awaiting a mandatory life sentence at the time of the lynching. The government requested withdrawal of the charges against the two because of insufficient evidence.

The defense sought to have similar action taken on the charges against the other three but Judge Mize overruled the motions.

Earlier this week similar charges were dismissed against Nathaniel Shotts and William Oscar Johnson who were indicted along with the three defendants. The government requested withdrawal of the charges against the two because of insufficient evidence.

JAN 23 1943

I think Judge Mize defendants deprived Wash of his life without process of law.

Prior said, "All I am certainly hap-

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The defendants, Luther Holder, deputy sheriff and jailer, Barney Jones and Allen Pryor, said they were delighted with the verdict and thanked the jury for acquittal and one stood 11 against and one for the second vote was unanimous on ballots. The first two ballots said Court officials said men charged in a N case in the South in years.

"I am a happy man," said Holder, "I am the happiest man in the world," said Jones. "I think we got a fair trial and I think the verdict is a fair judge." Prior said, "All I can say is that I am happy."

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Advertiser
Montgomery, Ala.

Mob Overcame Peace Officers

APR 22 1943

Special Deputy Tells U.S. Jury Lynched Negro Couldn't Be Saved

HATTIESBURG, MISS., April 21.—(AP)—T. O. Fowler, special deputy assigned to guard the victim in a negro lynch case at Laurel, Miss., testified in Federal Court today that the mob surged into the jail before anyone could stop them.

After describing the lynching scene, Fowler said that the townsmen forced Jailer and Deputy Sheriff Luther Holder upstairs at gun point and took Howard Wash, convicted negro murderer, from his cell.

APR 22 1943

The negro's body was found hanging from a railroad bridge on the outskirts of Laurel near the spot where he admitted killing his employer, Dairyman Clint Welborn.

APR 22 1943

Five men, including Holder, are on trial as leaders of the mob. They were indicted last Fall and charged with violating civil liberties statutes in depriving Wash of his life without due process of the law. The trial opened yesterday.

APR 22 1943

W. H. Watkins, special assistant to the U. S. attorney general, asked several witnesses called today if they knew of a special funeral which reportedly was being taken to support the defendant's case. All said they knew nothing.

Fowler said the mob tore off the screen doors of the jail and broke all windows on the lower floor in their rush on the Jones County jail to take the negro last Oct. 16.

Hattiesburg, Miss. Herald
April 18, 1943

Lynching Case Opens Monday

Federal Court Will Try Five Accused Of Negro Death

HATTIESBURG, MISS., April 17.—(AP)—What Federal attorneys have described as a "new course in law" will go on trial here Monday along with five men under the first Federal indictment in 40 years in connection with a Southern negro lynching.

The five Laurel, Miss., men, including a deputy sheriff-jailer, are charged with conspiracy to deprive Howard Wash, lynched negro, of his "constitutional rights" under Federal civil liberties statutes.

The "new course" presumably concerns the status and application of the civil liberties statutes particularly in light of congressional refusal to adopt a Federal anti-lynching law. The prosecution admittedly hopes to bring the case before the Supreme Court.

Federal Judge Sidney Mize already has blocked what was apparently the first effort to prosecution to establish one such point, when in arraignment proceedings last Monday he declined a prosecution request that he rule on the validity of the indictment.

Frank Coleman, special assistant to Attorney General Biddle, had suggested a "constitutional issue" was involved, after prosecution admittedly was caught by surprise when defense attorneys did not file a demurrer.

Should the trial verdict be innocent, it was explained, the case apparently would be ended without establishing the "new course" on a national basis.

A similar case in Alabama courts in 1903 failed to reach the Supreme Court, Coleman said, because the charges were nullified through action on a demurrer.

Birmingham, Ala. News
April 25, 1943

Hattiesburg Lynching Trial Ends When Jury Frees All Defendants

Civil Liberties Charge Made First U. S. Court Case Of Kind In 40 Years

HATTIESBURG, Miss.— (AP) —A Federal Court jury freed three Jones County citizens here Saturday of civil liberties charges in connection with the lynching of a Mississippi Negro, thus ending the first federal action taken against white men in a Southern lynching in 40 years.

The jury of 12 men was given the case at 10:58 p.m. Friday and returned its verdict of acquittal at 9:14 a.m. Saturday, just 14 minutes after court was convened.

Federal Judge Sidney C. Mize polled the jury and found the verdict was unanimous, acquitting the defendants, Luther Holder, Jones County deputy sheriff and jailer; Barney Jones and Allen Pryor.

The defendants thanked the jurors for granting them freedom and said they had been given a fair trial. "I am a happy man," said Holder and the others.

The three men were accused by the government of conspiring with an armed mob that broke into the Jones County Jail at Laurel the night of Oct. 16, 1942, seized Howard Wash, the Negro, and lynched him.

Wash a few hours earlier had been convicted of murdering his white employer, Clint Welborn, and was awaiting sentence to life imprisonment.

The charges, brought originally against five Jones Countians, had been intended by the attorney general to be carried before the Supreme Court of the United States in a test of application of the civil liberties statute in a lynching case but the verdict of acquittal apparently closed that avenue.

The men were charged with depriving Wash of his life without due process of law. Two defendants, Nathaniel T. Shotts and William Oscar Johnson, were freed on charges earlier in the trial on government motion because of lack of sufficient evidence.

Government counsel would not comment beyond reference in the arguments to the jury in which they denied that the question of federal encroachment on state rights had entered the case.

It was reported, however, that federal attorneys would refer to state prosecutors evidence seeking to establish a case of murder.

To the report District Attorney Alexander Currie replied that the state courts were "adequate to deal with its internal affairs."

Currie in a statement said he had "profound confidence in the integrity of the judiciary" and "I have profound confidence in the jury system of the state courts and the high moral integrity of the citizenship comprising the jury."

"I am opposed to the centralization of power in the national government and stand firmly and definitely on the principle of states rights," Currie said.

The federal charges were filed in this case after a Circuit Court Grand Jury had been charged to investigate the lynching but failed to return any indictments.

Hattiesburg, Miss. American
April 15, 1943

Lynch Trial Set.

Hattiesburg, Miss., Apr. 12.—The trial of five white men indicted by a federal grand jury on charges of participating in the lynching of a convicted negro murderer was set today for April 19. With the beginning of the new term of federal court, U. S. Attorney Toxy Hall announced the case would be heard next Monday. The five men are charged with leading a mob which took Howard Wash, 37-year-old negro convicted of slaying his boss with a milk bucket, from his cell in the Jones county jail at Laurel, Miss., and hanging him on a railroad bridge near the scene of his confessed crime.

Washington, D.C. News
April 17, 1943

Five Men Face Trial In 'Free State Of Jones' On Lynching Charge

Fate Plays Peculiar Trick When Placing Locale For Hearing

BY JACK GOULD

JACKSON, Miss.—(AP)—By one of history's sardonic turns, the five Laurel, Miss., men to go on trial Monday after the first federal indictment in 40 years in connection with a Southern Negro lynching are from a section of the Deep South that refused to fight for states' rights in the War Between the States.

The trial is to be held at Hattiesburg.

Laurel, scene of the lynching which the indictments charge deprived the Negro of his civil liberties, is in Jones County, which, in the War Between the States, not only refused to secede from the union but actually "seceded from the secessionists" to become "the free state of Jones" and a military thorn in the side of the Confederacy.

Giving the trial setting another odd twist is the current Jones County feeling about the indictment, or, at least, that expressed at the state capitol recently by one of its more prominent citizens:

"Why," he said, "it's the Civil War all over again, in court—states' rights and all."

Jones County's backwoodsmen in slave days, state library records show, owned few slaves, were almost unanimous against secession and sent to the secession convention a delegate supposedly opposed to withdrawal from the union.

The delegate changed his mind, voted with the majority and Jones Countians were furious. They hanged and burned the effigy of the delegate, who never returned.

The rebellion-within-rebellion grew and Capt. Newt Knight assumed leadership. He organized an army of about 125, swore them to federal allegiance and declared the county free of the Confederacy. He called it the "free state of Jones."

Confederate forces sent to put down the rebellion were drawn into the woods and shot to pieces. Using the same hit-and-run tactics now employed by the Chetniks, Capt. Knight's small band clashed again and again at larger armies and left them fighting back at the trees.

At the war's end, Capt. Knight shunned reward from the carpetbaggers looting the state and simply returned to farming. His only answer to the hatred of some neighbors who had lost much under the Yankee invasion was a quiet word that he had done only what he thought was right.

Capt. Knight died, at 93, in 1922, as inconspicuously as he had lived except for his military leadership of the tiny "republic within a republic."

Jackson, Miss. Daily News
April 8, 1943

Lynching Trial Will Open Today At Hattiesburg

Witnesses And Prospective Jurors Told To Report This Morning

HATTIESBURG, Miss., April 19. (AP)—Federal Judge Sidney Mize announced late today that trial of five Jones County white men on charges of violating the civil rights statute as a result of the lynching of a negro at Laurel, would definitely open tomorrow.

Delay in getting to the case today, as regularly scheduled, was due to carryover from last week's court session of several eminent domain cases involving lands acquired by the government for war purposes.

Lawyers See Witnesses

In excusing witnesses and prospective jurors until tomorrow, Judge Mize warned them to be on hand at 9:30 o'clock. During the afternoon prosecution and defense attorneys conferred with their witnesses in order to speed up the trial.

The defendants are charged under the civil liberties statute with conspiring to deprive Howard Wash, 49, negro father of eight children, "of his life without due process of law," and to "inflict upon him unusual and different punishment because of his color."

Seized In Prison

Wash was taken from the Jones County jail at Laurel the night of October 16, 1942, by a mob of white men and hanged from a railroad

The Northwest Enterprise
Seattle, Washington
Lynch Suspects Taken To Trial
APR 28 1943

HATTIESBURG, Miss., April 19.— A... The victim, Howard Wash, 49... The other defendants are: Nathaniel T. Shotts, Allen Pryor, Barney Jones and William Oscar Johnson.

He had been convicted in the state court of the murder of Clint Welborn, his white employer, and sentenced to life in the state penitentiary.

Luther Holder, deputy sheriff and Jones County jailer, was charged in one count with "refusing to protect Wash from the mob," while the five were charged with conspiracy in another count.

Advertiser
Montgomery, Ala.

Jury Selected To Try Whites For Lynching

APR 21 1943

All White Panel Will Hear Evidence In Mississippi Case

HATTIESBURG, MISS., April 20.—(AP)—An all white male jury was selected in Federal Court today to hear testimony in the case of five men charged with violating civil liberty statutes in connection with the lynching of a negro.

APR 21 1943

Contrary to expectations of opposing council, selection of the jury panel was completed in the first day and testimony was begun before court recessed.

Previously, counsel for both sides indicated the picking of the jury would be an arduous task because of the nationwide implications of the trial.

APR 21 1943

The men on trial are Luther Holder, deputy sheriff and Jones County jailer; Nathaniel T. Shotts, Allen Pryor, Barney Jones and William Oscar Johnson.

They were charged with conspiring to deprive Howard Wash, negro, of his life without due process of law and to inflict "unusual and different punishment upon him because of his color." Wash was taken from the Jones County jail last October 16, and hanged by a mob. He was awaiting a life sentence following his conviction of slaying his employer, Clint Wellborn.

Members of the regular jury panel were:

APR 21 1943

T. V. Haley, of Saucier; L. L. Goff, of Leaf; Daniel Seal, of Picayune; G. D. Payne, of DeKalb; Laomi Meritt, of Augusta; W. E. Carter, of Quitman; Lane Taylor, of Waynesboro; Joe Taylor, of Lexington; E. G. Breland, of Beaumont; Henry Harvey, of Collins; J. H. Whittington, of Benndale, and W. G. Dunaway, of Wayside. Alternate jurors are James Bagby, of Vicksburg, and S. L. Viccinello, of Natchez.

The regular panel consisted mostly of farmers and was selected from a venire of 60 names drawn from 50 south Mississippi counties. Among 14 prospective jurors excused for various causes was Charles Powell, negro railroad porter of Gulfport.

The first witness, Miss Esther Carter, circuit clerk of Jones County, testified concerning the state court trial of Wash at which he was convicted of murder. The jury failed to agree on the penalty, however, making a life sentence mandatory.

Journal and Guide
Norfolk, Virginia

Mississippi Lynching Case To Go To Trial

APR 17 1943

Judge Notifies Both Sides To Be Ready April 19

APR 17 1943

JACKSON, Miss.—(ANP)—Charged with violating the civil rights statute as a result of the lynching last October at Laurel of Howard Wash, dairy hand, are Luther Holder, deputy sheriff, and Jones County jailer, Allen Welborn Pryor, Barney Jones, Nathaniel Shotts and William Oscar Johnson, all of Laurel.

Federal Judge Sidney Mize had notified prosecution and defense attorneys in the government's case against the five white men to appear in court at Hattiesburg, on April 12 to settle preliminaries to the scheduled trial, set for Monday, April 19 in federal court at Hattiesburg.

Following his conviction in Jones County circuit court of the murder of Clint Welborn, aged white dairyman, his employer, Wash was removed from the Jones county jail around midnight.

He had been found guilty by an all-white jury which did not recommend the death penalty and he was in the county jail awaiting an automatic life sentence in the penitentiary. His body was later found hanging from a bridge near the Welborn dairy.

APR 17 1943

FIRST SINCE 1903

Federal indictment of the men is said to have been the first such action in mob cases since 1903 when a like procedure was taken in a case from Alabama but never tried by the U. S. Supreme Court following nullification of the charges on the grounds they were improperly drawn.

The indictments in the Wash murder case are based upon theories of law not yet passed upon by the Supreme Court.

APR 17 1943

While Deputy Sheriff Holder is first charged with refusing to protect Wash and "counselling" with the other defendants to subject him to "a deprivation of his constitutional rights," each of the five men is charged "with conspiring to persuade state officers acting under the cover of law to deprive Wash of his life without due process of law, to deny him equal protection under the law and to inflict upon him unusual and different punishments because of his color."

APR 17 1943

TOTAL OF 60 JURORS

Of the 60 prospective jurors summoned for the April terms of federal court at Hattiesburg, one is from Jones County, scene of the crime, one from Forrest county where the trial will be held. The others are from the 50 counties of the southern district court.

The attorneys for the defense are lawyers from Hattiesburg, Jackson and Laurel, while government lawyers are U. S. District Attorney Texey Hall, W. H. Watkins of Jackson, appointed special prosecutor in the case by Attorney Biddle, and Frank Coleman, special assistant to Mr. Biddle in the department of justice.

Age-Herald
Birmingham, Ala.

LYNCHING TRIAL IS NEARING JURY

Deputy Testifies Prison Keys Surrendered At Gun Point

HATTIESBURG, Miss., April 23—(AP)—The case of five Jones County white men, charged under the civil liberties statute with conspiracy in connection with the lynching of a Mississippi Negro, neared the jury Friday night in Federal Court here.

The defense rested abruptly at 1:48 p.m. Friday after the testimony of Luther Holder, Jones County deputy sheriff and jailer, was concluded. No rebuttal witnesses were offered and arguments were begun. Three hours were allotted to each side by Judge Sidney C. Mize.

Holder was one of two defendants placed on the stand before the jury. He testified that he did "everything within my power under the circumstances" to keep the mob of several score men from invading the jail at Laurel and seizing Howard Wash, 49, Negro dairy hand.

Wash was removed from the jail and hanged to a bridge to pay the penalty exacted by the mob for the murder of his white employer, Clint Welborn.

Negro Awaiting Sentence

The Negro was awaiting sentencing to a life term under the law because the state trial jury which convicted him of murder failed to fix the punishment.

Holder, charged in a separate count in the federal indictment with failing to protect Wash from the mob, testified he was in the jail with two special deputies when the mob broke in the night of Oct. 16, 1942.

He said the mob overpowered him with revolvers and took the keys away from him with threats against his life.

"We were expecting the sheriff to come with help," Holder testified. "We got no help from the sheriff."

Holder said Sheriff J. Press Redoch telephoned him from the City Hall across the street and told him he wanted no bloodshed but "Don't give them the keys."

"If we had carried out that message I wouldn't be here to testify today and the mob would have still gotten the keys," he said.

Asked why he turned the keys over to mob members, Holder replied: "They had guns in my side and it looked like death to me if I didn't."

Defense Pleas Overruled

Judge Mize twice overruled defense motions asking for directed verdicts of acquittal. The first was made after the government rested and the second just after the defense closed.

Barney Jones, a second defendant, testified that he was up all night on the lynching night helping neighbors doctor a sick horse and had nothing to do with the lynching.

Allen Pryor, the third defendant, repudiated in the absence of the federal jury a statement the FBI attributed to him allegedly admitting he was in the mob. He testified the statement was given under duress.

Charges were dismissed for insufficient evidence against two other Jones County men originally charged. They were Nathaniel T. Shotts and William Oscar Johnson. The prosecution asked that the charges be withdrawn.

The federal indictment charged the defendants with violating the civil liberties act by depriving Wash of his life without due process of law.

3 White Men Acquitted in Lynch Case

Hattiesburg, Miss., April 23—(AP)—A federal jury today returned a verdict of not guilty against three white men charged in connection with the lynching of a convicted Negro murderer near Laurel, Miss., last fall.

The verdict was returned just 15 minutes after Federal Judge Sidney B. Mize opened court for the day. Jury members said they decided upon the defendants' fate last night after the jury was locked in, and required but a few minutes to prepare the verdict this morning.

As soon as the verdict was announced, spectators swarmed around the jury box, congratulating and shaking hands with jury members. Nearly three-fourths of the people in the courtroom were from Laurel, Miss., where Howard Wash, a convicted Negro murderer, was lynched last October 16.

The jury, which was composed mainly of sawmill workers and Mississippi farmers, was faced with judging an unprecedented case. The theories of law involved never have been tested by the U. S. Supreme Court. The case involves the anti-lynching bill which evoked a congressional storm before it was defeated.

The three were Luther Holder, deputy sheriff and Jones County jailer; Allen Pryor and Barney Jones, all well-known citizens of Laurel, Miss., where the Negro, a convicted murderer, was lynched last October 16.

The men are charged with depriving the Negro of his life without due process of the law. Holder also was charged with not affording the protection which was his duty as a law enforcement officer.

The Negro, Howard Wash, was taken from his cell in the county jail by a mob of 75 to 100 men and tied up from a railroad bridge on the outskirts of Laurel—near the spot where he admitted killing his white employer, Clint Welborn.

Wash had received an automatic sentence of life imprisonment when the jury failed to agree upon his punishment.

Two other Laurel citizens, Nathaniel Shotts and William O. Johnson, were indicted by a federal Grand Jury at Jackson last fall. Charges were dropped against them after the prosecution announced it had insufficient evidence to further its case.

APR 25 1943

Three Are Acquitted In 'Judge Lynch' Case

HATTIESBURG, Miss., April 24. (AP)—A federal court jury freed three Jones County citizens here today of civil liberties charges in connection with the lynching of a Mississippi Negro, thus ending the first federal action taken against white men in a southern lynching in 40 years.

Federal Judge Sidney C. Mize polled the jury and found the verdict was unanimous, acquitting the defendants, Luther Holder, Jones county deputy sheriff and jailer; Barney Jones and Allen Pryor.

The defendants thanked the jurors for granting them freedom and said they had been given a fair trial.

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MISSISSIPPI

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Five, Including Deputy Sheriff, Indicted in Mississippi Lynching

Washington Post Thursday Jan 16 1943

Two indictments charging four private citizens and a deputy sheriff, all of Jones County, Miss., with violations of the Federal Civil Rights statutes in the lynching of Howard Wash at Laurel, Miss., on October 17, 1942, have been returned by a Federal grand jury sitting at Jackson, the Dapartment of Justice announced on Tuesday.

The indictments followed several months' investigation by the Federal Bureau of Investigation. Those named in the first indictment are Nathaniel Shotts, Allen Pryor, Barney Jones, and William Oscar Johnson. The second indictment names all of the aforementioned and in addition, Luther Holder, deputy sheriff and county jailer of Jones County. Jan 16, 1943

Wash had been convicted in the local courts on October 16, 1942, for the murder of Clint Welburn, a white resident of the community and sentenced to life imprisonment. He was temporarily lodged in the county jail at Laurel, which is described as being accessible only through a single "mob-proof" steel door, the keys to which were in Holder's possession.

On the night of the lynching, the indictment continues, a mob, (estimated at about 100 persons) of which the five defendants were members, assembled at the jail, persuaded Holder to turn over his keys, took Wash from his cell and lynched him. Jan 16, 43

The first indictment, containing two counts, charged Shotts, Pryor, Jones, and Johnson (1) with conspiring to cause State officers, acting under the color of law, to deprive Wash of his life without due process of law, to deny him equal protection under the law, and to inflict upon him unusual and different punishment because of his race and color, in violation of Sections 52, 88, and 550, Title 18, U. S. Code; and (2) conspiring themselves to deprive Wash of the same constitutional rights in violation of Section 51, Title 18, U. S. Code.

The second indictment, also containing two counts, names all of the foregoing defendants, and in addition, Holder, a State officer. Count 1 reiterates the charges of conspiring to deprive Wash of his constitutional rights in violation of Section 51.

Count 2 charges Holder, acting under the color of law, and the other defendants as aiders and abettors with subjecting Wash to the deprivation of his constitutional rights in that Holder "did willingly and unlawfully fail, refuse, and decline to protect Wash by locking a single mob-proof steel door . . . with the key which was in his possession," and he "delivered up the person of Wash to the said mob," in violation of Section 52. 1-16-43

Sections 51 and 52, Title 18, U. S. Code, are parts of the so-called Civil Rights statutes. The first makes it a crime for two or more persons to conspire to injure any person in the exercise of any rights guaranteed to him under the Constitution. Maximum penalties are fixed at a fine of not more than $5,000 and imprisonment for not more than ten years. Washington, D.C.

Section 52 defines the same offenses when committed by an officer of the State "acting under the color of law." Penalties prescribed are a fine of not more than $1,000, imprisonment for not more than one year or both.

Section 88 makes it a crime to conspire to commit any offense against the laws of the United States. Penalties prescribed are a fine of not more than $10,000, imprisonment for not more than two years, or both. Section 550 defines any person who aids or abets in the commission of an offense against the laws of the United States as a principal.

The investigation was undertaken upon the recommendation of the Civil Rights Section of the Criminal Division of the Justice Department. Puesentation to the grand jury was made by William H. Watkins, of the law firm of Watkins and Eager, Jackson, serving at special assistant to the Attorney General. He was assisted by T. Hall, U. S. Attorney for the southern district of Mississippi, and Frank Coleman, of Washington, special assistant to the Attorney General. 1-16-43

Five Indicted in Lynching of Negro

A Federal grand jury in Jackson, Miss., has indicted five men, including a deputy sheriff, on charges arising from the lynch-murder of Howard Wash, 49, a Negro, near Laurel, Miss., last Oct. 17. JAN 1 3 1943

Local authorities had refused to press charges, although the identities of those connected with the hanging of Wash were said to be known to scores of Laurel residents.

2:19 PM

The grand jury, on the basis of information compiled by FBI agents, handed up indictments on the only Federal charge possible—violation of the U. S. Civil Rights statutes—against:

¶ Deputy Sheriff Luther Holder of Jones County, a jailer. Charges were that Holder failed to protect Wash and, instead, "delivered" him to the lynch mob.

Wash Killed Employer JAN 13 1943

¶ Nathaniel Shotts, Allen Pryor, Barney Jones and William O. Johnson, all of Jones County. The indictment against them asserted that they conspired to cause state officers to deprive Wash of his life without due process of law, to deny him equal protection under the law, to inflict upon him "unusual and different punishment because of his race and color," and of conspiring among themselves to those ends.

Wash had been convicted of the murder of his white employer, Clint Welborn, a dairyman, only the day before he was lynched. He pleaded self-defense. The state circuit court jury, which could have returned a verdict making the death penalty mandatory, instead certified disagreement on the punishment, so that Wash would get life imprisonment.

On Oct. 12 JAN 13 1943 Negro youths were lynched about 30 miles away. Emboldened, perhaps, by that crime, a mob of Jones county residents forced their way into the county jail, got the keys to Wash's cell from Holder, took the handyman to Welborn's bridge, and hanged him. Holder said he was "overpowered" by the intruders and did not recognize them. PM

PM sent Victor Bernstein, a staff reporter, to find out, on the scene, the facts about the lynchings. New York, N.Y.

He learned that responsible persons in Laurel—a judge, the sheriff, a minister, and the like—deplored the murder. He learned that the local paper, the *Leader-Call*, had run a strong, denunciatory editorial against the lynchers. He found Gov. Paul B. Johnson of Mississippi indignant.

Governor Felt Powerless JAN 13 1943

But he discovered, too, that all felt powerless to punish the perpetrators, to forestall the threat of similar crimes, because of local prejudices over the race issue.

Although Gov. Johnson had sent in the state guard, which had taken into custody some of the lynch-mob ringleaders, local authorities would not file charges, the local grand jury would not indict.

The Dept. of Justice sent FBI men to conduct an independent investigation in response to nationwide protests from liberal, labor, and Negro groups and hundreds of individuals.

And the FBI has proved that something *can* be done through Federal intervention.

Marcantonio Hails Lynch Indictments

Kansas City Call
Kansas City, Mo.

A pledge to continue the fight until those guilty of three lynchings in Mississippi are actually tried and punished, was made by Vito Marcantonio, chairman of the National Emergency Committee to Stop Lynchings, in hailing 76 of the most prominent leaders as "historic" the federal indictment of five men last week in one of the lynchings.

"I am sure these indictments will be heartily welcomed by the great majority of the people of Mississippi," Congressman Marcantonio said. "They demonstrat- ed their determination of lynch-ing, their understanding that it is a fifth column act, in publishing as a full-page advertisement in the Jackson, Miss., Clarion-Ledger, last November 11, an open letter to Governor Paul B. Johnson urging punishment of the lynchers. That open letter was signed by

JAN 29 1943

"We will continue to press the fight until the lynchers of Howard Wash are actually punished. "We will continue the fight for punishment of the lynchers of Ernest Green and Charles Lang, 14-year-old Negro Mississippi hadboys, until this is accomplished."

Under the federal law on which murder indictments of four private citizens and a deputy sheriff in Mississippi are based, they can be punished by federal authority imprisoned for ten years and fined $10,000.

"These indictments are an important step in the fight to stop

Ernest Green and Charles Lang, the two 14-year-old Negro boys referred to in the statement, in whose lynchings no indictments have been brought, were hanged to a bridge on October 12, 1942. Howard Wash was lynched on October 16.

Secretary of the National Emegency Committee to Stop Lynching, which was organized on October 18, is Ferdinand Smith, secretary of the National Maritime Union. Dr. Max Yergan, president of the National Negro Congress, is treasurer.

Pittsburgh Courier
Pittsburgh, PA.

JAN 23 1943

DISCOURAGING LYNCHING

The indictment by a Federal Grand Jury in Jackson, Miss., of four alleged lynchers and a deputy sheriff of Jones County, Miss., who participated in or aided the lynching of Howard Wash at Laurel, Miss., on October 16, 1942, is a greatly belated step in the right direction.

JAN 23 1943

Wash had already been convicted by a jury which had voted 10 to 2 against capital punishment, for the killing of a white man, Clint Welborn, who was slow on the draw, and he was awaiting a mandatory life sentance when he was grabbed by the mob and hanged.

The five accused lynchers are to be tried in Hattiesburg, Miss., District Federal court sometime in the spring of this year.

Although more that five thousand colored and white people have been lynched in this country in the past 60 years, this is only the second time in our history that such an indictment has been returned! 1-23-43

If Attorney General Biddle continue to investigate these lynchings and hand down indictments against accused lynchers, this should go a long way toward discouraging this old American pastime, even if convictions are few and far between.

Every lynching has been a violation of Federal civil rights statutes but previous heads of the Department of Justice have closed their eyes to this obvious fact, and former Attorney General Cummings even refused to place lynching on the agenda of his widely-ballyhooed crime conference.

Attorney General Biddle deserves and should receive the commendation of every citizen who wants to see the crime of lynching smashed once and for all in this country.

On Trial for Lynching

The Worker
New York, N. Y.

Hattiesburg is a little Mississippi town where for the first time in 40 years the federal government placed men on trial charged with the lynching of a Negro citizen. The reporter who covered the trial for the Daily Worker takes you behind the scenes for a look at the trial.

MAY 9 1943

By Mary Southa

HATTIESBURG, Miss.

HATTIESBURG is still a small south Mississippi town in spite of the fact that some 75,000 of Uncle Sam's soldiers are training at Camp Shelby near by. But on April 20 millions of Americans had their eyes fastened eagerly on little Hattiesburg.

Here for the first time in forty years or more the federal government placed men on trial charged with lynching a Negro citizen.

The small white brick building with United States Court House written over it was full. An unusually large number of Negroes were present, some standing against the back wall.

The five accused sat in the dock: Luther Holder, deputy sheriff in charge of the Jones County jail, Allen Pryor and Barney Jones, employes of the Laurel, Miss., Masonite plant, W. O. Johnson, farmer and Nathaniel Shotts, wholesale grocery clerk. They were charged under the Civil Rights Statute with conspiring to deprive Howard Wash his rights, liberties and life under the Constitution. Howard Wash, Negro dairy worker of Laurel, was taken from the Jones county jail where he was awaiting a mandatory life imprisonment sentence for the self-defense slaying of his white employer last October, and hanged by a lynch mob from Welborns bridge near Laurel.

MAY 9 1943

Government Put Up Strong Fight

The court room was tense, for there was little doubt in anyone's mind that Uncle Sam meant business. The Civil Liberties Division of the Department of Justice had assigned an able young Virginia attorney, Frank Coleman, to direct the case. He had secured the cooperation of the District Attorney Toxey Hall, known throughout the state for his record of successful prosecutions, his assistant attorney, Stewart Broom and John Savage, also a leading Mississippi lawyer, and the distinguished services of Mr. Will H. Watkins, member of the Mississippi bar for 50 years and former president of the State bar association.

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The Government placed powerful evidence of guilt before the Mississippi jury, made up mainly of white farmers. Outstanding and routed a lynch mob that had gathered in front of the court house. Mr. Watkins told the jury in conclusion that the trial gave them the chance to make a historic decision in favor of human rights and to serve their native state, Mississippi by removing the blot of lynching from her name.

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The Weakness of The Government

But the counter-attack of the Government attorneys had one deep-going weakness that robbed it of the terrific offensive power of the "White Supremacy" shouters. When the argument went into its decisive phase, the political one, the Government attorneys did not attack the whole fascist KKK position of their opponents. They attacked lynching clearly and without compromise; but they in every case stated their agreement with the main idea advanced by the defense that the Negro people were and ever should be politically and socially inferior to the white people of Mississippi. They were put in the curious position of defending the political rights of the Negro people under the 14th Amendment while at the same time expressing agreement in mild form though it was, with the idea that the Negro people as human beings must continue to occupy an unequal and therefore unconstitutional place in Southern life.

The defense "white supremacy" lawyers knew this weakness and made the most of it—and they carried the day in this case.

While the Government made long and bloody list of lynchings, a state where the labor movement, with the exception of the coast cities, has just begun to raise its head above the morass of political and economic degradation. The very word, "CIO," was used by both sides as anathema.

But even this inevitable current backwardness and prejudice would not have swept away the powerfully reasoned plea for democracy by the Government, if the attorneys for the defense had not seized the political offensive in the case.

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Strong Attack By Government

For three hours the jurymen were bombarded with this vicious blood-and-thunder appeal to their most backward prejudices.

The Government rallied to the counter-offensive: Mr. Hall stated that mob violence was Hitlerism. Attorney Broome showed how every lynching became a powerful propaganda weapon in the hands of the Nazis and Japanese. Mr. Hall argued that the Federal Government was upholding rather than "invading" the sovereign rights of Mississippi.

Stressing the significance of the case, Mr. Watkins stated that America had the responsibility to show the world today that we stand for equal opportunity for all oppressed peoples and that the Negro people are oppressed before the law in this country. He argued further that racist ideas were what our men were fighting against today. What was at stake, he continued, was the right of all citizens to protection from violence, and the duty of officers of the law to protect those entrusted to them—with their own lives if necessary. To illustrate this, he read a clipping which told of an old Confederate soldier, the late Judge Joseph Chrisman, who came down from the bench, armed the law-abiding citizens of his town in Mississippi

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Then Why An Acquittal?

Yet after four days, after less than a half hour's deliberation, the jury turned in a unanimous acquittal of the three men accused of having a share in the lynching of Wash.

This work being initiated by the Civil Liberties Division of the Department of Justice merits the fullest support of progressive people not only in the South but throughout the nation. It is a vital part of the fight to win the Southern people, Negro and white, for full and equal participation in the fight to save our nation.

Three significant indictments have been turned in recently by Southern white juries: in Macon, Georgia, against a sheriff for the death of a Negro prisoner; in Macon County, Alabama, against a sheriff and his deputy for brutal treatment of prisoners, white and Negro, and in Meridian, Mississippi, against a saw-mill owner for violation of the Peonage and Slavery Statutes in his dealing

It would be too simple to claim

no statement after the announcement of the acquittal, recent events show that the Government does not intend to abandon its efforts to uphold the rights of the Negro people in the South with a Negro worker

37g-1943
Weekly Review
Birmingham, Ala.

Mississippi

7034

LYNCH LAW

Greater U. S. Law

LYNCHERS FREE, MOB VICTIM DEAD

MAY 1 1943

HATTISBURG, Miss., (ANP) — **Sheriff Identifies Two; Confession to FBI Men Introduced in Mississippi Case**

The two men set free on directed verdicts by U. S Disrtict Judge Sidney Mize on motion by the government that it had failed to produce any evidence connecting them with the crime Willias Oscar Johnson farmer, and Nathaniel Shotts, clerk.

Immediately after Johnson and Shotts were freed, defense lawyers moved for directed verdicts of acquittal for the others on the ground of insufficiency of government evidence. Their motion was denied. As the prosecution had completed its case, defense testimony began.

The government gav eno testimony against the two freed men and also failed to use some of its witnesses including a Negro convict who wa san inmate of the jail when the mob entered. In some cases witnesses showed extreme reluctance to testifying against the defendants. The defendants who stood trial were freed as was generally expected.

Damaging evidence against Pryor and Jones was given by Sheriff J. Press Reddock of Jones county who identified them as members of the mob which forced its way into the jail and against Holder, the deputy who failed to follow orders laid down by Reddock in the event of a lynching attempt was made.

The sheriff, who testified Tuesday ,told of being summoned to the jail at one A. M., on the day after Wash's conv ction last Oct. 14, and of finding a crowd gathered about the locked door.

"I didn't tell Holder to give up the keys,' Reddock testified," and I was pleading and begging with the crowd for their children and families. I told them about my position as sheriff, how I might be sued on my bond, how I was liable to lose my job. They said that if I lost my job they would get me another.'

Reddock said that Pryor, carrying a pick-ax but not in a threatening manner, laid his hand "gently on my shoulder" and assured him "I'm not going to strike you Just don't be a damned fool; give us the keys."

He testified that after the lynching he made a "thorough investigation' but did not arrest Pryor because he couldn't find him. No state indictments were returnde.

MAY 1 1943

Reddock said he surrendered his rifle to a deputy who came from the jail to receive it when "somebody" in the crowd asked him to give it up because "they" wanted to talk to him. The defense, in cross-examination, endeavored to establish that the reason Deputy Sheriff Holder did not lock himself in the jail, behind the steel door, was that he was afraid of an attack in a vestibule from his office to the door. The jail, it appeared, was in darkness during the attack.

Not a shot was fired, the sheriff conceded, nor did he observe anyone was armed. He said, in effect, he didn't see the prisoner taken from the jail but estimated he must have been removed an hour or more after his arrival on the scene. The next time he saw Wash, Reddock said, he was hanging from a bridge. He identifide a picture of it.

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Another early witness, Circuit Judge Burkett Collins, who presided at the Wash trial for murder testified that Reddock telephoned him that a mob had surrounded the jail. The judge, who said he hadn't anticipated trou although the prisoner had be confined for safe-keeping at jail in Jackson, Miss., prior to t trial, said he urged the she not to permit the mob to ket t jail keys and that he telephon Gov. Paul B. Johnson fo re which was sent at once in fo of national guardsment who rived too late.

Judge Collins, telling of appe ing the governor of the lyn mob, said that Gov Johnson, promising aid, said: "For Go sake don't let that happen"

Pryor's signed statement a mitting he was a member of t mob which stormed the jail a took Wash and then rode in t car to a nearby bridge where was hanged, was presented duri the tstimony of John L Sulliv special agent of the Federal I reau of Investigation Mr Su van, ace G-man of the Mississip office, was corroberated by C Brashier of the New Orleans offi in his testimony that Pryor ga the statement voluntarily a without promise of reward

In the statement, dated N 25, 1942, Pryor admitted going Laurel from his home near to the night of the lynching. "to s what was going to happen Wash." This was prior to t lynching, but earlier in the sar night when the victim wa stak from the jail.

"I figured that something w going to happen," the stateme recited

MAY 1 1943

Pryor's statement asserted he r turned to his home near Shad Grove and found about 50 me at a nearby store He said he r cognized Hillard H. Welborn, br ther of the slain white farmer, the group, and that they agre to meet near the Jones coun jail in Laurel "before taking Wa out of the jail."

Pryor said he did not remembe with whom he drove to Laurel.

"We surrounded the jail abo 11:30 P. M.," the statement said "Sheriff J. Press Reddock of Jone county arrived at the jail abou 11:45 P. M. There were about 10 men around the jail at this tim

"I helped pull the screen o the window located on the righ side of the door to the front en trance of the jail," Pryor's state ment continued. "I said to th men that the jailer's wife (Hold er) and children may be in th room so let's try some other en trance.

"I pulled the screen open wit a pick-axe that leads into th main entrance of the jail, abou 15 men came in with me. I don' remember how the jail door wa opened leading into the prisoner' quarters on the second floor. went up the stairs to the cel where Wash was a prisoner an with several other men whos names I can't recall, took Was out of this jail.

"We placed him (Wash) in car. I don't know whose car. drove in the car that Was wa in Wash was sitting in he iron seat and I was sitting in the bac seat

MAY 1 1943

"We drove out to Welborn bridge located about four mile north of Shady Grove on the Moss ville road.

"We arrived at the bridge be tween 12:30 and 1:00 A. M. an parked the car on the far side o the bridge. I did not put the rop around Wash's neck nor heave him over the bridge. I don't know who did the actual hanging. Some one said "It's all over." So I caught a ride and came home. I don't know with whom I rode."

Pryor's statement contradicted earlier testimony of the two de puty sheriffs in the jail the nigh of the lynching with Deputy Sher iff Holder that members of th mob were armed.

"I saw no guns in this crowd at this jail at any time," Pryor's statement declared. "The only gun there was held by Sheriff Reddock and it was a .22 caliber rifle."

Only one Negro witness was used by the government before before the jury of native Mississippians, although several had been called. This Negro had been a prisoner in the cell next to Wash's at the time of the lynching. It was, it developed, "as dark as midnight in the dungeon" and the witness, Mack Lewis, was prostrate in his cell He didn't know "who the gentlement were" who stormed the jail, but he testified he heard someone ask Wash if he was "sorry" he did and he said "yes."

Lewis testified that Wash then was asked by the mob if he wanted to say anything.

"He said 'no' but he had a dollar and he wanted [illegible] to give that to his babies.

Then barefooted and bareheaded ,after the mob had informed Wash he didn't need any shoes, he wa staken away, according to Lewis' testimony.

The government succeeded in establishing through testimony of Louis L Welch, chief deputy sheriff of Jones county ,and Laurel Police, that it had been agreed that if a mob came for Wash, Jailer Holder would lock the big steel "mob-proof" door from the inside, locking himself in, and had borrowed a tear gas gun from the police department. As is known, such precautions were disregarded.

Welch said that even before Wash's one-day trial three men asked him to surrender the prisoner but he refused. He claimed he didn't know who they were and on cross-examination said he deemed them jocular. But on his direct examination he testified he informed Holder of their request with the result the plan was agreed on. He didn't know why, he said, it wasn't carried out. The defense, on cross examination, drew from the deputy the statement that the "dictates of humanity' might preclude use of the tear gas gun because it might affect the prisoners in jail.

The police officers were used to confirm the lending of the tear gas gun to Holder and to point out that its effects are temporary and usually confined to the direction in which the sheel is discharged. Two special deputies, in the jail with Holder when the mob arrived ,added details to previous accounts of the scene. Both said the crofd thrust pistols against Holder in demanding entrance, although Pryor's statement to the FBI was to the effect, he observed no weapons. The government contends ,in effect, the jailer afforded tacit connivance and was persuaded to release the prisoner.

One of the special deputies, John Hilton, said he was so excited when the mob rushed in an ante-room that he gave the keys to Holder because "I didn't want them." He was vague about what happened after that but he said the mob played flashlights on them both, jammed pistols into Holder's side and pushed him in front of them. He didn't see what happened when the crowd arrived at the steel door.

"They called 'all right, stay where you are. We've got you." Milton said "and there was nothing friendly about it. I was excited and scared."

"The other special deputy who was in the jail, I. O Fowler, testified Holder unlocked the steel door after the mob threatened him with pistols and later went to the upstairs cells, where the Negroes were kept, and told the other prisoners to "lay still," adding Wash, "they have come after you."

Journal and Guide
Norfolk, Virginia

May Seek To Prove Murder Jury Disregards Confession Of Member of Mob

MAY 1 1943

HATTIESBURG, Miss.—On the night of October 16, 1942, a colored man at Laurel, Miss., was taken out of the jail by a mob and lynched. Federal attorneys may turn over to state prosecutors evidence seeking to establish murder charges against three Jones County whitemen who were freed in Federal Court here last week by a jury. This probability loomed strong after a jury in Federal Court at Laurel, Miss., Jones County, Saturday had returned not guilty verdicts which freed Deputy Sheriff Holder and Jailer Ward. The jury's verdict was unanimous.

The two men were accused by the Government of conspiring with an armed mob that broke into the Jones County jail, seized Wash and lynched him. The jury's verdict was unanimous.

MAY 1 1943

CONVICTED OF SLAYING EMPLOYER

Five Mississippians Cleared In Lynching

Daily World
Atlanta, Georgia
APR 26 1943

HATTIESBURG, Miss.—(SNS)—Five white men, indicted in federal civil rights statutes in the lynching last year of Howard Wash, stood acquitted Sunday.

A federal court jury, Saturday freed Luther Holder, jailer and deputy sheriff and [illegible] Jones, factory [illegible] Pryor, also a factory [illegible] signed confession as [illegible] in the atrocity was admitted as evidence over the protests of defense counsel.

Earlier in the week, William Oscar Johnson, farmer, and Nathaniel Shotts, clerk, were set free on directed verdicts by U. S. District Judge Sidney Mize on motion by the government that it had failed to produce any evidence connecting them with the crime.

This ended the first federal action taken against white men in a southern lynching in 40 years. Federal Judge Mize polled the jury and found the verdict was unanimous. The defendants thanked the jurors for granting them freedom and said they had been given a fair trial.

The trial created one of the biggest sensations ever witnessed in this section of the South.

Sheriff J. Press Reddock gave

Wash had been convicted a few days earlier of murdering his white employer, Clint Welborn, and was awaiting sentence of life imprisonment.

Federal charges were filed against the three accused men after a Jones County circuit court grand jury had been charged to investigate the lynching but had failed to return any indictments.

The charges, brought originally against five Jones County white men, had been intended by the Attorney General to be carried before the United States Supreme Court in a test of application of the civil liberties statute in a lynching case, but the acquittal verdict apparently closed that avenue.

Specifically, the accused were charged with depriving the lynch victim of his life without due process of law. Because of lack of evidence, two defendants, Nathaniel T. Shotts, and William Oscar Johnson, were freed of the charges earlier in the proceedings.

Attorneys for the Government, in their arguments to the jury, denied that the question of Federal encroachment on states' rights had entered the case.

SHERIFF TESTIFIES

Damaging evidence against Pryor and Jones was given by Sheriff J. Press Reddock of Jones county who identified them as members of the mob which forced its way into the jail, and against Holder, the jailer, who failed to follow orders laid down by Reddock in the event a lynching attempt was made.

The sheriff told of being summoned to the jail at one a.m., on the day after Wash's conviction and of finding a crowd gathered about the locked door.

"I didn't tell Holder to give the keys up," Reddock testified, "and I was pleading and begging with the crowd for their children and families. I told them about my position as sheriff, how I might be sued on my bond, how I was liable to lose my job. They said that if I lost my job they would get me another."

Reddock said that Pryor, carrying a pick-ax, but not in a threatening manner, laid his hand "gently on my shoulder" and assured him "I'm not going to strike you. Just don't be a damned fool; give us the keys."

He testified that after the lynching he made a "thorough investigation" but did not arrest Pryor because he couldn't find him.

SURRENDERED RIFLE

Reddock said he surrendered his rifle to a deputy who came from the jail to receive it when "somebody" in the crowd asked him to give it up because "they" wanted to talk to him. The defense, in cross-examination, endeavored to establish that the reason Deputy Sheriff Holder locked himself in the jail, behind the steel door, was that he was afraid of an attack in a vestibule from his office to the door. The jail, it appeared, was in darkness during the

Not a shot was fired, the sheriff conceded, nor did he observe that anyone was armed. He said, in effect, he didn't see the prisoner taken from the jail but estimated he must have been removed an hour or more after his arrival on the scene. The next time he saw Wash, Reddock said, he was hanging from a bridge. He identified a picture of it.

Another witness, Circuit Judge Burkett Collins, who presided at the Wash trial, testified that Reddock telephoned him that a mob had surrounded the jail. The judge, who said he hadn't anticipated trouble although the prisoner had been confined for safe-keeping at a jail in Jackson, Miss., prior to the trial, said he urged the sheriff not to permit the mob to get the jail keys and that he telephoned Governor Paul B. Johnson for aid, which was sent at once in form of national guardsmen who arrived too late.

ADMITTED BEING MEMBER

Pryor's signed statement admitting he was a member of the mob which stormed the jail and took Wash and then rode in the car to a nearby bridge where he was hanged, was presented during the testiony of John L. Sullivan, special agent of the Federal Bureau of Investigation. Mr. Sullivan, ace G-man of the Mississippi office, was corroborated by Otis Brashier of the New Orleans office, in his testimony that Pryor gave the statement voluntarily and without promise of reward.

In the statement, dated November 25, 1942, Pryor admited going to Laurel from his home near town the night of the lynching "to see what was going to happen to Wash." This was prior to the lynching, but earlier in the same night when the victim was taken from the jail.

Pryor's statement asserted he returned to his home near Shady Grove and found about 50 men at a nearby store. He said he recognized Hillard H. Welborn, brother of the slain white farmer, in the group, and that they agreed to meet near the Jones county jail in Laurel "before taking Wash out of the jail."

"We surrounded the jail about 11:30 p.m.," the statement said. "Sheriff J. Press Reddock of Jones county arrived at the jail about 11:45 p.m. There were about 100 men around the jail at this time.

"I helped pull the screen off the window located on the right side of the door to the front entrance of the jail," Pryor's statement continued. "I pulled the screen open with a pick axe that leads in the main entrance of the jail. About 15 men came in with me. I don't remember how the jail door was opened leading into the prisoners' quarters on the second floor. I went up the stairs to the cell where Wash was a prisoner and with several other men whose names I can't recall, took Wash out of jail.

"We placed him (Wash) in a car. We drove out to Welborn's bridge located about four miles north of Shady Grove on the Mossville road.

"We arrived at the bridge between 12:30 and 1:00 a.m., and parked the car on the far side of the bridge. I did not put the rope around Wash's neck nor heave him over the bridge. I don't know who did the actual hanging. Someone said 'It's all over.' So I caught a ride and came home. I don't know with whom I rode."

TESTIMONY CONTRADICTED

Pryor's statement contradicted earlier testimony of the two deputy sheriffs in the jail the night of the lynching with Deputy Sheriff Holder that members of the mob were armed.

Only one Negro witness was used by the government, although several had been called. This witness had been a prisoner in the cell next to Wash's at the time of the lynching. It was, it developed, "as dark as midnight in the dungeon" and the witness, Mack Lewis, was prostrate in his cell. He didn't know "who the gentlemen were" who stormed the jail, but, he testified, he heard someone ask Wash if he was "sorry" he did it, and he said "yes."

Lewis testified that Wash then was asked by the mob if he wanted to say anything.

"He said 'no' but he had a dollar and he wanted someone to give that to his babies."

Then barefooted and bareheaded, after the mob had informed Wash he didn't need any shoes, he was taken away, according to Lewis' testimony.

PRECAUTIONS DISREGARDED

The government succeeded in establishing through testimony of Louis L. Welch, chief deputy cheriff of Jones county, and Laurel police, that it had been agreed that if a mob came for Wash, Jailer Holder would lock the big steel "mob proof" door from the inside, locking himself in, and had borrowed a tear gas gun from the police department. As is known, such precautions were disregarded.

Welch said that even before Wash's one-day trial three men asked him to surrender the prisoner but he refused. He claimed he didn't know who they were and on cross-examination he testified he informed Holder of their request with the result the plan was agreed on. He didn't know why, he said, it was carried out.

Two special deputies, in the jail with Holder when the mob arrived, added details to previous accounts of the scene. Both said the crowd thrust pistols against Holder in demanding entrance, although Pryor's statement to the FBI was to the effect, he observed no weapons.

One of the special deputies, John Hilton, said he was so excited when the mob rushed in an ante room that he gave the keys to Holder because "I didn't want them." He was vague about what happened after that but he said the mob played flashlights on them, grabbed them both, jammed pistols into Holder's side and pushed him in front of them.

"The other special deputy who was in the jail, I. O. Fowler, testified Holder unlocked the steel door after the mob threatened him with pistols and later went to the upstairs cells, where the Negroes were kept, and told the other prisoners to "lay still," adding "Wash, they have come after you."

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April 25, 43

Three Alleged Lynchers Freed

HATTIESBURG, Miss., April 24. (AP)—A Federal Court jury freed three Jones County citizens here Saturday of civil liberties charges in connection with the lynching of a Mississippi Negro, thus ending the first federal action taken against white men in a Southern lynching in 40 years.

The three men were accused by the Government of conspiring with an armed mob that broke into the Jones County Jail at Laurel the night of October 16, 1942, seized Howard Wash, the Negro, and lynched him.

Wash had been convicted a few hours earlier of murdering his white employer, Clint Welborn, and was awaiting sentence to life imprisonment.

The charges, brought originally against five Jones Countians, had been intended by the attorney general to be carried before the Supreme Court of the United States in a test of application of the civil liberties statute in a lynching case, but the verdict of acquittal apparently closed that avenue.

The men were charged with depriving Wash of his life without due process of law. Two defendants, Nathaniel T. Shotts and William Oscar Johnson, were freed of charges earlier in the trial on Government motion because of lack of sufficient evidence.

Government counsel would not comment beyond reference in the arguments to the jury in which they denied that the question of federal encroachment on states rights had entered the case.

It was reported, however, that federal attorneys would refer to state prosecutors evidence seeking to establish a case of murder.

The federal charges were filed in this case after a Circuit Court grand jury had been charged to investigate the lynching but failed to return any indictments.

men accused of being leaders of a mob that lynched a Negro who killed a white man.

The jury list includes men from all over the Southern federal court district which embraces about 50 counties. Court attaches said the method was rarely used except in extraordinary cases and apparently the court wanted to obtain a cross section of the area.

The five Jones County men face indictments under civil liberties statutes growing out of the Lynching of Howard Wash, 40-year-old Negro, who killed Clint Welborn, prominent dairy farmer of the Shady Grove community.

Advertiser
Montgomery, Ala.

Accused Lynchers Are Freed By U. S. Jurors

HATTIESBURG, MISS., April 24.—(U.P.)—The first Mississippi lynch case in which the participants were brought to trial came to an end today when a federal jury acquitted three men charged in connection with hanging a convicted negro murderer on the outskirts of Laurel, Miss., last Fall.

The Department of Justice at Washington said indictments were obtained in an Alabama lynching case in 1904, but as in the Laurel case, no convictions were attained.

That instance and the one here were the only two in more than 3,400 such cases since 1900, despite repeated efforts by federal authorities.

The jury, composed mainly of Mississippi dirt farmers and sawmill men, filed into the courtroom this morning at 9:15 o'clock—just 15 minutes after court was opened—returned a verdict of not guilty.

Spectators in the room, mostly from the defendants' home town of Laurel immediately began swarming about the jury—congratulating them, shaking their hands and proclaiming enthusiasm for the decision.

Atlanta (Ga.) Journal
March 31, 1943

'Lynch' Jury List Drawn From 50-County Area

JACKSON, Miss., March 31.—(AP)—The United States District Court has invoked a rarely used legal procedure in summoning prospective jurors for the trial in Hattiesburg next month of five

Free State Of Jones

No Lynch Tradition For Laurel, Miss.

MAY 1 1943

"Pitts Burg Courier"

LAUREL, Miss., April 29—(ANP)—For the first time in 40 years, five men went on trial last Monday on federal indictment charges in connection with a lynching.

History has it that the scene of the lynching, Laurel, in Jones county, unlike the state of Mississippi, established a record for itself in free statehood, dating back to civil war days when this section refused to fight for states rights.

Jones county, where a few months ago a man was deprived of his civil liberties, in Civil war days, not only refused to secede from the Union but actually "seceded from the secessionists" to become "the free state of Jones" and a bitter enemy of the confederacy.

MAY 1 1943

FORMER ARMY TO AID UNION

State library records show that Jones county's backwoodsmen in slave days owned almost no slaves, were unanimous against secession and sent to the secession convention a delegate supposedly opposed to withdrawal from the Union. When the delegates changed his mind and voted with the majority of southern delegates, citizens of Jones grew angry and burned the delegate in effigy. He never returned to the conuty.

After this, a Capt. Newt Knight is said to have assumed leadership, and organized an army of about 125, swore them to federal allegiance and declared the county free of the Confederacy, and called the county the "free state of Jones."

Special forces were sent to put down the rebellion but these were driven into the wood and shot to pieces. Knight's band put down even larger armies, and after the war on those days when carpet baggers invaded southern cities, Capt. Knight is said to have refused a sizable reward and went back to his farm, consoling himself with the thought that he had done the right thing.

The deeds of Capt. Knight were little known, he died in 1922 at 93, little known except for his military record of maintaining "the free state of Jones."

MAY 1 1943

LAST October a mob forced its way into the prison at Laurel, Miss., seized Howard Wash, Negro, who had just been convicted by an all-white jury of murdering his employer, and lynched him. For once the Department of Justice acted, and five men, including the deputy jailer, were indicted under the federal civil liberties statute.

The trial was held the latter part of April before an all-white jury. One of the defendants, Allen Pryor, had confessed. Two others were identified by J. Press Reddock, sheriff of Jones County—a courageous and unprecedented act. The evidence was sufficient to convict a hundred times over. Said one of the defense counsels: "We intend to have in the South white supremacy until Gabriel blows his horn." Said another defense lawyer: "After the war between the states, when the South lay bleeding, the Thirteenth, Fourteenth, and Fifteenth amendments were imposed upon us." The defendants were acquitted.

The acquittal helps Hitler and the Japs. It serves notice on 13,000,000 Negroes that even in time of war—war for the survival of America—lynching and discrimination go unpunished. Certainly, the mere fact that the lynchers were put on trial, the first time in four decades that this has happened in the South, was a step forward. Nevertheless, the murderers of Howard Wash are free. Their freedom, and our country's war need, argue for a federal anti-lynching law with teeth in it. And they argue for the passage of the anti-poll tax bill (HR 7) which will help win the South for democracy and decency. That bill, introduced by Rep. Vito Marcantonio of New York and sponsored by a coalition of Republicans, Democrats, and Laborites, now needs the signatures of only twenty-five representatives to force it out of the cold storage of the House Judiciary Committee so that the House can vote on it. NEW MASSES readers ought to make sure

Judge Lynch Pardons
New York, N. Y.

St. Louis, Missouri
Argus

Deputy Sheriff And Four Others Charged With Crimes By U. S. Trial

HATTIESBURG, Miss.—The Dred Scott case of 1943 charged with the lynching of is being enacted in this deep South city. Five Laurel, Miss., accused of killing men, including a deputy sheriff and a sheriff are on trial ployer on a dairy under federal indictment growing out of the lynching of How- convicted and sentenced to severe imprisonment after Deputy Sheriff Shotts and Barney Jones, were charged with participating in of Wash. He was killing his white employer on a dairy farm and was sentenced to life after only after 12 jurors had voted for capital punishment. He was later

This is the first time since 1907 that a federal lynching

Daily World
Atlanta, Georgia

On The Hattiesburg Trial

(From the Jackson, Miss. Advocate)

Down at Hattiesburg last Saturday five white men on trial for the lynching of a Negro, indicted upon evidence presented by the Federal Bureau of Investigation, were found not guilty by a Federal Court Jury of White Men selected from nearly every section of the state, thus ending the first attempt in the past forty years of southern history to apply the principal of the Federal Rights Statutes in a case envolving the rights of a Negro as an American Citizen.

MAY 4 - 1943

It is without doubt true that a large number of white citizens of Mississippi, weary of the stigma of lynching, and recognizing the destructive affect of the mob spirit upon the best interests of the people of the state had been looking forward to the trial to furnish the restraints that appear, in such matters, to be sorely needed at this time. As to the Negro Citizens of the state it can be said that into the trial went a large measure of their faith and hope.

A consideration of all of the factors envolved in the case will affirm the fact that neither new issues nor old issues of law can be sustained in the courts without the overwhelming support of public opinion, and while the Negro citizens of the state might sense disillusionment and frustration in having taken a too hopeful view of the trial, there is hope and faith to be had in the knowledge of widespread consideration of the question of race relations in the state, out of which will come growing public opinion against the crime of lynching.

MAY 4 1943

Of immediate concern to the Negroes of the state, and to all those who have the best interest of their community, and of the state, at heart, is the question, has the mob spirit been restrained by the Hattiesburg trial, or will it come forth more boldly to terrorize the Negro and further disgrace the good name of the State.

MAY 4 1943

Barney Jones, factory worker, and Allen Pryor, also a factory worker, whose signed confession as to his part in the atrocity was admitted as evidence over the protests of defense counsel. Pryor is a relative of the white dairy farmer for whose death Wash was convicted.

APR 29 1943

Immediately after Johnson and Shotts were freed, defense lawyers moved for directed verdicts of acquittal for the others on the ground of insufficiency of government evidence. Their motion was denied. As the prosecution had completed its case, defense testimony began.

The government gave no testimony against the two freed men and also failed to use some of its witnesses including a Negro convict who was an inmate of the jail when the mob entered. In some cases witnesses showed extreme reluctance to testifying against the defendants.

Damaging evidence against Pryor and Jones was given by Sheriff J. Press Roddock of Jones county who identified them as members of the mob which forced its way into the jail, and against Holder, the jailer who failed to follow orders laid down by Reddick in the event a lynching attempt was made.

APR 29 1943

Afro-American
Baltimore, Maryland

Miss. Jurors Free 3 Whites in Lynch Case

MAY 1 1943

HATTIESBURG, Miss.—A federal jury freed three white men on Saturday of charges growing out of the lynching of Howard Wash in Jones County last October 16.

They were; Luther Holder, Jones County deputy sheriff and jailer; Barney Jones and Allen Pryor.

Verdict Unanimous

The jury, which had received the case the night before, rendered a unanimous verdict of acquittal fourteen minutes after the court convened on Saturday morning.

MAY 1 1943

The three men were accused by the Federal Government of conspiring with a mob which broke into the Jones County jail, seized and lynched Wash a few hours after his conviction for the murder of his white employer, Clint Welborn.

First Case in 40 Years

The federal charges were brought under the civil liberties clause which forbids depriving a man of his life without due process of law. This was the first federal action taken against white men in a Southern lynching in forty years.

Two other defendants, Nathaniel T. Shotts and William O. Johnson had been freed earlier in the trial because of lack of evidence.

MAY 1943

It had been announced in the attorney general's office to carry the case to the U.S. Supreme Court in a test of the applicability of the civil liberties clause to a lynch case. The acquittal verdict apparently precludes this test.

Afro-American
Baltimore, Md.

5 Whites Go on Trial in Miss. Lynching Case

APR 24 1943

HATTIESBURG, Miss.—(ANP) —Five white men, one of them a deputy sheriff, went on trial Monday in Federal court for violation of U.S. Civil Rgihts Statutes in connection with the lynching last October of Howard Wash, 49, following his conviction and mandatory life sentence for slaying Clint Welborn, white, 55, his dairy farm employer.

The defendants, all of whom pleaded not guilty before Federal Judge Sidney Mize are: Luther Holder, 45, deputy sheriff and jailer; Nathaniel T. Shotts, 28, grocery clerk; Allen Pryor, 34, pipefitter; Barney Jones, 38, plant employee, and William O. Johnson, 51, farmer.

APR 24 1943

The indictment charges all five with conspiring to deprive Wash of his life without due process of law and a separate count charges Holder with refusing to protect him from a mob of white men which took Wash from the Jones County jail the night of last October 16 and left his body hanging from a bridge.

APR 24 1943

Long Trial Expected

The trial is expected to consume considerable time because of the large number of witnesses to be heard. Earl Wingo of defense counsel said that seventy-five witnesses had been subpoenaed by the defense.

Government witnesses include Circuit Judge E. Burkett Collins, District Attorney Alexander Currie, Miss Alice Carter, Jones County Circuit Court clerk, and Lt. Col. James L. Davis, former State adjutant general in charge of troops which Gov. Paul B. Johnson called out upon being advised of the violence.

It appears certain that the case will go to the Supreme Court because when the defendants made bond, Judge Mize stated that he would not consider whether the indictments were valid or not, that they would leave it to the Supreme Court.

APR 24 1943

News
Birmingham, Ala.

Two In Lynching Case Identified By Sheriff As Appearing In Mob

Trial At Hattiesburg Enters Its Second Day On Hanging Of Negro

HATTIESBURG, Miss.— (AP) — Two of the five men on trial here on federal charges growing out of the lynching of a Negro at Laurel last October, were identified Tuesday as members of the crowd which surrounded the Jones County Jail on the night of the lynching.

APR 27 1943

Sheriff J. Press Reddoch, of Jones County, testifying for the government, pointed out Allen Pryor and Barney Jones, both factory workers of Laurel, as two members of the mob who spoke to him, but said under cross-examination that he did not see either man enter the jail with the mob.

Besides Pryor and Jones, others on trial in Federal Court were Luther Holder, deputy sheriff and jailer of Jones County; Nathaniel Shotts and William Oscar Johnson.

They are charged with violating the civil liberties statutes in connection with the lynching of Howard Wash, Negro, by depriving him of his life without due process of law.

Sheriff Reddoch, on the stand for two hours, testified that it would have been impossible to get Wash out of the jail without the keys because of a solid steel door protecting the prisoners' section, but said he did not know which of the three deputies in the jail at the time Wash was taken had possession of the keys.

Wash was being held for pronouncement of an automatic life sentence following his conviction of

Government Clears Two In Mississippi Lynch Case

Bystander Des Moines, Iowa

APR 29 1943

Three Others Freed

Three other white defendants were found not guilty this week.

APR 29 1943

Hattiesburg, Miss. (ANP) — With two men freed Wednesday by the government, the trial of three others charged with violation of federal civil rights statutes in the lynching last year of Howard Wash continued to create one of the biggest sensations ever witnessed in the south. This is the first time since 1906 that the federal government has sought to convict mobbists.

APR 29 1943

The two men set free on directed verdicts by U. S. District Judge Sidney Mize on motion by the government that it had failed to produce any evidence connecting them with the crime were William Oscar Johnson, farmer, and Nathaniel Shotts, clerk.

APR 29 1943

The three remaining white men who faced penalties of 10 years' imprisonment each and $5,000 fines if convicted included Luther Holder, deputy sheriff and jailer in Jones county where the lynching occurred;

37g-1943
Tribune
Savannah, Ga.

Mississippi

7036

Two Cleared in Lynching Case Three Others Face Conviction

SHERIFF IDENTIFIES 2 DEFENDANTS

Confession of FBI Men Introduced

IN WIDELY PUBLISIZED MISSISSIPPI CASE

April 29, 1943

Hattiesburg, Miss., April 27—(ANP) With two men freed Wednesday by the government, the trial of three others charged with violation of federal civil rights statutes in the lynching last year of Howard Wash continued to create one of the greatest sensations ever witnessed in the south. This is the first time to to cause one of bigg- government has sought to con- dict mobbists.

The two men set free on direct verdicts by U. S. District Judge Sidney Mize on motion by the government that it had failed to produce any evidence connecting them with the crime were William Oscar Johnson, farmer, and Nathaniel Shetts, clerk.

The remaining three white men who faced penalties of ten years' imprisonment each and $5,000 fines, if convicted, include Luther Holder, deputy sheriff and jailor in Jones county where the lynching occurred; Barney Jones, factory worker, and Allen Pryor, also a factory worker whose confession as to his part in the atrocity was admitted by evidence over the protests of defense counsel. Pryor is a relative of the white dairy farmer for whose death Wash was convicted.

April 29, 1943

Immediately after Johnson and Shetts were freed, defense lawyers moved for direct verdicts of acquittal for the others on the ground of insufficiency of government evidence, but the request was denied. As the prosecution had completed its case, efense testimony began.

The government gave no testimony against the two freed men and also failed to use some of its witnesses including a Negro convict who was an inmate of the jail when the mob entered. In some cases witnesses showed extreme reluctance to testify against the defendants.

Damaging evidence against Pryor and Jones was given by Sheriff J. Press Reddock of Jones county who identified them as members of the mob which forced its way into the jail, and against Holder, the jailor, who failed to follow orders laid down by Reddock in the event a lynching attempt was made.

The sheriff who testified on Tuesday told of being summoned to the jail at one a. m. on the day after Wash's conviction last October 14 and of finding a crowd gathered about the locked door.

"I din't tell Holder to give the keys up," Reddock testified, "and I was pleading and begging with the crowd for their children and families. I told them about my position as sheriff, how I might be sued on my bond and lose my job. They said that if I lost my job they would get me another."

Reddock said that Pryor, carrying a pick-ax, but not in a threatening manner, laid his hand "gently on my shoulder" and assured him, "I'm not going to strike you. Just don't be a damned fool; give up the keys."

Reddock said he surrendered his rifle to a deputy who came from the all to receive it when somebody in the crowd asked him to give it up because they wanted to talk to him. The jail it appears was in darkness during the mob attack.

Judge Collins telling of appriseing the governor of the lynch mob, said that Gov. Johnson, in promising aid, said, "For God's sake don't let that happen."

Pryor's signed statement admitting he was a member of the mob which stormed the jail and took Wash and then rode in the car to a nearby bridge where he was hanged, was presented during the testimony of John L. Sullivan, special agent of the Federal Bureau of Investigation. Mr. Sullivan an ace G-man of the Mississippi office, was corroborated by Otis Brashior of the New Orleans office, in his testimony that Pryor gave the statement voluntarily and without promise of reward.

Two Identified In Lynch Trial

April 21, 1943

HATTIESBURG, Miss., April 21. (AP)—Two of the five men on trial here on Federal charges growing out of the lynching of a Negro at Laurel last October were identified Tuesday as members of the crowd which surrounded the Jones County jail on the night of the lynching.

Sheriff J. Press Reddoch, of Jones County, testifying for the Government, pointed out Allen Pryor and Barney Jones, both factory workers of Laurel, as two members of the mob who spoke to him but said under cross-examination that he did not see either man enter the jail with the mob.

Besides Pryor and Jones, others on trial in Federal Court were Luther Holder, deputy sheriff and jailer of Jones County; Nathaniel Shotts and William Oscar Johnson.

They are charged with violating the civil liberties statutes in connection with the lynching of Howard Wash, Negro.

Sheriff Reddoch, on the stand for two hours, testified that it would have been impossible to get Wash out of the jail without the keys, because of a solid steel door protecting the prisoners section, but he said he did not know which of the three deputies in the jail at the time Wash was taken had possession of the keys.

Wash was being held for pronouncement of an automatic life sentence following his conviction of the slaying of his employer, Clint Welborn, when he was seized and hanged from a bridge.

April 21, 1943

Crowd Forced Jailer To Open Prison Doors, Sheriff Says At Trial

Negro Lynching Case Enters Its Second Day In Hattiesburg, Miss.

HATTIESBURG, Miss.— (AP) —I. O. Fowler, Jones County special deputy sheriff, testified in Federal Court here Wednesday that a white mob which lynched Howard Wash, Negro, last October near Laurel, forced Jailer Luther Holder at gunpoint to open the jail.

Fowler said he and another deputy were in the jail that night with Holder. He said the mob of "between 30 and 40 men" rushed the building and compelled Holder to open the outer steel door and then the cage upstairs were Wash, a dairy hand convicted of the murder of his white employer, Clint Welborn, was confined.

Fowler testified that the mob "ganged" him and forced him and Holder to go upstairs where they seized the prisoner.

"Holder opened the jail at the point of a gun," Fowler said. He was testifying as a government witness in the trial of Holder and four other Jones County men on civil liberties act charges of depriving Wash of his life without due process of law.

The other defendants are Allen Pryor, Barney Jones, Nathaniel T. Shotts and William Oscar Johnson.

Tuesday Sheriff J. Press Reddoch, of Jones County, testified that Pryor and Jones, industrial workers of Laurel, spoke to him from the crowd outside the jail but said on cross-examination that he did not see either enter the jail.

Wash was being held for pronouncement of an automatic life sentence following his conviction of the slaying of his employer, Clint Welborn, when he was seized and hanged from a bridge.

Circuit Judge F. Burkitt Collins, in whose court the Negro was convicted of the Welborn slaying, said the Negro had had a fair trial and testified that when he was advised that a mob was forming, he had telephoned Gov. Paul Johnson. A detachment of State Guards, dispatched by the governor, arrived several hours after the Negro was hanged, he said.

Birmingham, Ala. Age-Herald
April 14, 1943

LYNCHING CASE SUBPOENAS OUT

Three Court Officials To Be Witnesses In Federal Trial

HATTIESBURG, Miss., April 13—(AP)—Issuance of subpoenas for three state court officials as government witnesses next Monday in the Federal Court trial here of five Jones County men for alleged violation of the civil rights statute in connection with the mob lynching last October of a Negro near Laurel, was revealed Tuesday by court records.

The officials summoned were Judge E. Burkett Collins of the Twelfth Circuit Court District; District Prosecuting Attorney Alexander Currie and Miss Alice Carter, circuit clerk of Jones County.

A fourth witness summoned was Lt. Col. James L. Davis, former adjutant general of the state guard who was in charge of troops called out by Gov. Johnson.

Judge Collins convened a state Grand Jury soon after the lynching of Howard Wash, Negro dairy hand, convicted without the death penalty of the murder of Clint Welborn, his white employer. No indictment was returned by the Grand Jury. Currie appeared before the Grand Jury, as did Miss Carter, a clerk.

Since the state Grand Jury session was held six months ago, those appearing before it are now relieved of the secrecy ban which expires after that lapse of time.

Meanwhile, Earl Wingo of defense counsel, said about 75 witnesses had been called by his side. The men to face trial following their pleas of innocence here Monday before Judge Sidney C. Mize are Luther Holder, deputy sheriff and jailer; Nathaniel Shotts, Barney Jones, Allen Pryor and William Oscar Johnson.

Chicago Defender
April 10 1943

Miss. Lyncher's Conscience Talks On His Death Bed

WASHINGTON. — A curious story of retribution which transcended "Southern justice" and their inability of the Department of Justice to obtain convictions in any lynching case in the South, has leaked out of the Department of the relatives of the girl who was al-

Washington, The Post
April 22, 1943

Judge Refuses Plea For Dismissal Rule In Lynching Trial

Prosecution Rests Case In Trial Of Three After Entering Statement

HATTIESBURG, Miss.— (AP) — Federal Judge Sidney C. Mize overruled Thursday a defense motion for a directed verdict to dismiss civil liberties charges against three Jones County men growing out of the lynching of a Mississippi Negro last October at Laurel.

The motion was offered just after court reconvened. The trial then continued with the defense starting introduction of testimony.

The government Wednesday withdrew charges against Nathaniel T. Shotts and William Oscar Johnson after acknowledging that it had failed to get sufficient evidence connecting them with the crime.

Two other defendants, Allen Pryor and Barney Jones have been identified by government witnesses as members of the crowd which surrounded the jail the night of the lynching. The third accused man, Deputy Sheriff and Jailer Luther Holder, was inside the jail when the mob broke in and seized Howard Wash, Negro, and took him to a bridge where he was hanged.

The government rested its case Wednesday after presenting a statement purportedly signed by Pryor, admitting that he was part of the mob, but defense attorneys protested, contending the statement was made under duress. Federal Judge Sidney Mize admitted the statement after John L. Sullivan, an FBI agent of the Jackson office, said he had told Pryor that the statement "may be used against you in a court of law."

The five men were charged with depriving Wash of his rights under the law. At the time of the lynching the Negro was being held in the Jones County Jail at Laurel awaiting a life sentence for the slaying of his employer, Clint Welborn.

Under questioning Pryor said the statement was "false," but said "I signed it. I signed it where he (Sullivan) told me to sign it."

"He said 'I have got the information I want against you and you might as well tell the truth,'" Pryor said during arguments on the admissibility of the statement and in the absence of the jury.

"I said I have told the truth, I wasn't there. He said if I would go ahead and give him the statement he would guarantee that it would not be used against me."

Pryor's statement was presented during the testimony of Sullivan, and was substantiated by FBI Agent Otis Brashier, of the New Orleans office.

In the statement, Pryor is said to have admitted coming to Laurel from his home near town the night of the lynching "to see what was going to happen to Wash."

Pryor's statement declared he returned to his home near Shady Grove and found about 50 men at a nearby store.

Pryor said he did not remember with whom he drove to Laurel.

"We surrounded the Jones County Jail about 11:30 p.m.," the statement said. "Sheriff J. Press Reddoch, of Jones County, arrived at the jail about 11:45 p.m. There were about 100 men around the jail at this time."

"I helped pull the screen off the window located on the right of the door to the front entrance of the jail," the statement continued. "I said to the men that the jailer's wife and children may be in this room, so let's try some other entrance.

"I pulled the screen open with a pick ax that leads into the main entrance of the jail. About 15 men came in with me. I don't remember how the jail door was opened leading into the prisoners' quarters on the second floor. I went up the stairs to the cell where Wash was a prisoner and with several other men whose names I can't recall, took Wash out of the jail.

"We placed him in the car. I don't know whose car. I rode in the car that Wash was in. Wash was sitting in the front seat and I was sitting in the back seat. I was very excited.

"We drove out to Welborn's Bridge, located about four miles north of Shady Grove on the Mossville road.

"We arrived at the bridge between 12:30 and 1 a.m. and parked the car on the far side of the bridge. I did not put the rope around Wash's neck nor heave him over the bridge. I don't know who did the actual hanging. Someone said, 'It is all over,' so I caught a ride and came home. I don't know with whom I rode."

Amsterdam Star-News
New York, N. Y.

MAY 1 1943

HATTIESBURG, Miss. — The first trial of white men in a Negro lynching in the past forty years came to an end this week when a Federal court jury acquitted three white men of civil liberties charges in connection with the killing of Howard Wash at Laurel, Miss., on October 16, 1942.

The all-white jury returned its verdict at 9:14 a. m., fourteen minutes after court was convened. The jury was polled by Federal Judge Sidney C. Mize and the verdict was unanimous, acquitting the defendants, Luther Holder, Jones county deputy sheriff and jailer; Barney Jones and Allen Pryor.

MAY 1 1943

The government accused the men of conspiring with a mob which broke into the jail at Laurel on the night of October 16, 1942, seized Howard Wash, who had been convicted of slaying his employer, Clint Welborn, and lynched the 49 year old Negro.

MAY 1 1943

The charges originally brought against five Jones county men, had been made by the attorney general, who intended that the case be carried before the Supreme Court of the United States in a test of application of the civil liberties statute in a lynching case. The verdict of acquittal apparently closed the avenue.

MAY 1943

The men were charged with depriving Howard Wash of his life without due process of law. Two other defendants, Nathaniel T. Shotts and William Johnson, were freed of charges earlier in the trial because of lack of sufficient evidence.

News
Birmingham, Ala.

Lynching Trial Opens After One-Day Delay

APR 20 1943

HATTIESBURG, Miss.—(AP)—The nationally-important trial of five Jones County citizens as a result of the lynching of a Negro was opened here Tuesday by Federal Judge Sidney C. Mize after a one-day delay.

APR 20 1943

First order was selection of a jury of 12 men to try the defendants under the federal civil liberties statute in connection with the lynching last October of Howard Wash, Negro dairy hand, at Laurel.

Wash was taken from the Jones County Jail by a mob of 75 to 100 men and lynched at a bridge over a creek near the home of Clint Welborn, his white employer, whom the Negro was convicted of killing with a milk can.

A white jury in State Courts found Wash guilty of murder but was unable to agree on the penalty. Wash was taken from the jail the following night while awaiting sentence to life imprisonment, automatic punishment under the verdict.

APR 20 1943

It was announced Tuesday that one Negro, Charles Powell, a railroad porter from Gulfport, was listed in the original jury panel.

Nation To Watch Lynching Trial At Hattiesburg

U. S. Attorneys Say 'New Course In Law' Also To Be At Stake

April 18 1943

HATTIESBURG, Miss., April 17.—(AP)—What federal attorneys have described as a "new course in law" will go on trial here Monday along with five men under the first federal indictment in 40 years in connection with a Southern negro lynching.

The five Laurel, Miss., men, including a deputy sheriff-jailer, are charged with conspiracy to deprive Howard Wash, lynched negro, of his "constitutional rights" under federal civil liberties statutes.

The "new course" presumably concerns the status and application of the civil liberties statutes particularly in light of congressional refusal to adopt a federal anti-lynching law. The prosecution admittedly hopes to bring the case before the supreme court.

No Rule On Validity

Federal Judge Sidney Mize already has blocked what was apparently the first effort of the prosecution to establish one such point when in arraignment proceedings last Monday he declined a prosecution request that he rule on the validity of the indictment.

Frank Coleman, special assistant to Attorney-General Biddle, had suggested a "constitutional issue" was involved, after the prosecution admittedly was caught by surprise when defense attorneys did not file a demurrer.

Should the trial verdict be innocent, it was explained, the case apparently would be ended without establishing the "new course" on a national basis.

Similar Case In Alabama

A similar case in Alabama courts in 1903 failed to reach the supreme court, Coleman said, because the charges were nullified through action on a demurrer.

The five defendants, pleading innocent, are Luther Holder, the jailer; Nathanial T. Shotts, grocery clerk; Allen Pryor, tiperitter; Barney Jones, plant employe, and William Oscar Johnston, farmer.

Wash was found hanged near Laurel October after he had been convicted of manslaughter, for the slaying with a milk bucket of Clint Wellborn, his white employer. He was taken from Jones County jail by a mob estimated at between 50 and 100 men.

THE NEW REPUBLIC

Lynchers Acquitted

FEB 3 1943

The acquittal of a deputy sheriff and two other white men in the lynching case at Hattiesburg, Mississippi, will be celebrated as a victory by many anti-Negro Southerners and by others who are states'-rights traditionalists. Actually, even though a Southern jury did the expected in voting by skin-color instead of by evidence, this case is an important milestone in the fight against race oppression, and the civil-rights section of the Department of Justice won a victory in the very fact of indicting the men and making a good case of it.

FEB 3 1943 New York

Howard Wash, a Negro, killed his white employer with a water bucket, probably defending himself against a brutal beating. The self-defense evidence was so strong that a white jury voted life-imprisonment instead of the usual capital punishment. While he was awaiting sentencing in a "mobproof" jail, a band of white savages took him from his unlocked cell and hung him from a bridge. The Department of Justice charged a group of defendants with conspiring to deprive Wash of his constitutional rights; in doing so it revived a technique which, obvious though it seems, had been invoked only twice before in lynching cases, the last time in 1904. In that instance the case was thrown out of court on a demurrer.

FEB 3 1943

The Department of Justice lost its case in Hattiesburg, but it has unsheathed a long neglected legal implement which will grow sharper with use. Justice, law and evidence were on the government's side; the weight of a caste system three centuries old was against it, and today in Mississippi this weight is invincible. But it will not always be so. Little by little the forces of enlightened social feelings and of true Christian ethics—for religion is deeply rooted in the Southern soil—gain upon blind race hate and hypocrisy. The very fact that a leading Mississippi attorney aided the government's presentation is a measure of this. It is to be hoped that the civil-rights section of the Department of Justice will continue to indict under "Section 52." Some day the body of a strangled Negro hanging from a bridge is going to move the consciences of even Mississippi jurymen to the conviction that somebody has denied somebody his constitutional rights, and rights older than constitutions and governments.

FEB 3 1943

7037

World-Telegram
New York, N. Y.

3 in Mississippi Acquitted in Lynching

APR 24 1943

By the Associated Press.

HATTIESBURG, Miss., April 24.—Three Jones County men, charged with violating civil liberty statutes in the lynching of a Negro at Laurel last October, were acquitted by a federal court jury here today a few seconds after 9 a. m.

The defendants were Luther Holder, deputy sheriff and Jones County jailer; Barney Jones and Allen Pryor.

Howard Wash, 49, was taken from the county jail by a mob and hanged from a bridge. He had been convicted of slaying his employer, Clint Welborn, and was awaiting a mandatory life sentence.

after a Jones county jury found him guilty of the murder of Clint Welborn, white dairy farmer near Laurel, but declined to fix a death penalty.

Wash, who was employed by the aged dairyman, was in jail awaiting an automatic life sentence in the penitentiary when a mob took him from his cell and left his body dangling from a bridge near the Welborn dairy.

The list of 60 petit jurors who have been summoned for the April term of federal court, 12 of whom will decide the fate of the five defendants, includes one from Jones county where the lynching occurred and one from Forrest county, where the case will be tried, with the remaining jurors coming from throughout the southern district.

Trial For Mississippi "Lynchers" Is Set

Atlanta Daily World

JACKSON, Miss.—(SNS)—Five Jones county white defendants charged in two federal indictments with the violation of the federal civil right statutes in connection with the lynching of a colored man, 48-year-old Howard Wash, at Laurel on October 6, 1942, will be arraigned before Judge Sidney C. Mize, April 12, at which time any pleas, motions or demurrers are supposed to be filed.

The five defendants are scheduled to face trial April 19 in the Hattiesburg district court.

The two indictments were returned by a 23-man federal grand jury last January. The five men indicted were Deputy Sheriff Luther Holder, Barney Jones, Allen Welborn Pryor, Nathaniel Shotts and William Oscar Johnson.

The prosecution will be carried on by Toxey Hall, U. S. district attorney; Stewart C. Broom, assistant U. S. district attorney, and W. H. Watkins, Jackson attorney who has been appointed special attorney-general in this case. Four attorneys have been engaged to aid the defendants.

Maximum penalties under the civil liberties statutes provide a fine of a not more than $5,000 and imprisonment for not more than 10 years.

The lynching of Wash occurred

'Persecuted!' Wails Rankin As Law Chases Miss. Yokels

The People's Voice

APR 3 1943

WASHINGTON—The "Honorable" John Rankin, Mississippi's gift to the House of Representatives, has charged the Department of Justice with using "Gestapo" methods to "persecute" poor down-trodden and defenseless citizens of his home state.

APR 3 1943

Brother Rankin burst loose in the House last Wednesday with his tirade. "If the Department of Justice," wailed, "is destined to operate into a Gestapo [illegible] persecution of the white people throughout the South, and for the persecution of white Gentiles throughout the country generally, and for the stirring up of race hatred and promoting race strife, I must say it is well on its way!"

APR 3 1943

ALMOST POPPED SOMETHING

Brother Rankin was so hot under the collar by this time that several of his fellow representatives thought he was going to pop a blood vessel.

APR 3 1943

"A short time ago," bleated Rankin, "the Department of Justice went down into Mississippi and dragged some white people 100 miles from their homes and indicted them in the federal court for the violation of a State law. That is an insult that has not been offered to a sovereign state of this Union since the darkest days of Reconstruction, of which all right-thinking Americans are now ashamed."

APR 3 1943

Here Brother Rankin, who comes from the state that hanged two 14-year-old boys last year, moaned: "If they are going to continue that kind of Gestapo practices against a free people, and a free press, I submit it is time the American Congress wakes up and takes matters into their hands and hedge them about with limitations that will prevent them from perpetrating such outrages."

APR 3 1943

At this point the speaker told Brother Rankin his time had expired and he should shut up.

SHERIFF NAMES 2 AT LYNCHING TRIAL

APR 21 1943

Testifies Defendants Were In Mob Which Forced Way Into the Jail at Laurel, Miss.

New York Times

DID NOT SEE NEGRO SEIZED

New York, N. Y.

Went to Telephone to Judge, He Says, After Pleading With Crowd and Defying It

APR 21 1943

Special to THE NEW YORK TIMES.

HATTIESBURG, Miss., April 20—J. Press Reddock, Sheriff of Jones County, identified today two of the four men on trial here in the lynching of Howard Wash at Laurel in October as members of a mob which forced its was into the jail where the Negro was confined. The trial is before Federal Judge Sidney E. Mize and a jury.

The men identified were Allen "Bud" Pryor and Barney Jones. Pryor, the witness testified, was one of a group which attempted to force him to give up the jail keys. Jones, he declared, "was also among the mob members."

Describing the events just before the lynching, the Sheriff said that he was summoned to the jail at 1 A. M. on the day after Wash's conviction, Oct. 14, of murdering his employer, Clint Wellborn, and found a crowd gathered about the locked door.

APR 21 1943

"Several persons asked me to give up the keys, but I told them I'd die first," the Sheriff testified. "Two of them caught hold of me. One of them seized me by the arm and the other put his hands on my shoulder. That one was Bud Pryor."

APR 21 1943

After a struggle, the Sheriff continued, he told the mob that the keys were in the possession of Luther Holder, deputy jailer, who was inside the jail.

"I refused to tell Holder to give up the keyes," he added. "They could not get in the steel door, for it was locked on the inside. I pleaded with the mob. I told them they should think of their children. Also I said if this terrible thing happens I'll lose my job. They said 'If you lose it we'll get you another.'"

APR 21 1943

Reddock testified that he left the jail, after instructing Holder not to give up the keys, to telephone Judge F. Burkett Collins about the mob. While he was absent the Negro was taken from the jail and lynched. Holder is under indictment for conspiracy in connection with the case.

APR 21 1943

Identifying Jones as one of the crowd, Reddock testified:

"He came up to me and said 'Why don't you turn over the keys? All our family voted for you, so let me have the keys.'"

News
Birmingham, Ala.

Hattiesburg Lynching Trial Ends When Jury Frees All Defendants

APR 25 1943

Civil Liberties Charge Made First U. S. Court Case Of Kind In 40 Years

APR 25 1943

HATTIESBURG, Miss.—(AP)—A Federal Court jury freed three Jones County citizens here Saturday of civil-liberties charges in connection with the lynching of a Mississippi Negro, thus ending the first federal action taken against white men in a Southern lynching in 40 years.

APR 25 1943

The jury of 12 men was given the case at 10:58 p.m. Friday and returned its verdict of acquittal at 9:14 a.m. Saturday, just 14 minutes after court was convened.

Federal Judge Sidney C. Mize polled the jury and found the verdict was unanimous, acquitting the defendants, Luther Holder, Jones County deputy sheriff and jailer; Barney Jones and Allen Pryor.

The defendants thanked the jurors for granting them freedom and said they had been given a fair trial. "I am a happy man," said Holder and the others.

The three men were accused by the government of conspiring with an armed mob that broke into the Jones County Jail at Laurel the night of Oct. 16, 1942, seized Howard Wash, the Negro, and lynched him.

APR 25 1943

Wash a few hours earlier had been convicted of murdering his white employer, Clint Welborn, and was awaiting sentence to life imprisonment.

APR 25 1943

The charges, brought originally against five Jones Countians, had been intended by the attorney general to be carried before the Supreme Court of the United States in a test of application of the civil liberties statute in a lynching case but the verdict of acquittal apparently closed that avenue.

The men were charged with depriving Wash of his life without due process of law. Two defendants, Nathaniel T. Shotts and William Oscar Johnson, were freed of charges earlier in the trial on government motion because of lack of sufficient evidence.

Government counsel would not comment beyond reference in the arguments to the jury in which they denied that the question of federal encroachment on states rights had entered the case.

It was reported, however, that federal attorneys would refer to state prosecutors evidence seeking to establish a case of murder.

To the report District Attorney Alexander Currie replied that the state courts were "adequate to deal with its internal affairs."

Currie in a statement said he had "profound confidence in the integrity of the judiciary" and "I have profound confidence in the jury system of the state courts and the high moral integrity of the citizenship comprising the jury."

"I am opposed to the centralization of power in the national government and stand firmly and definitely on the principle of states rights," Currie

APR 25 1943

The federal charges were filed in this case after a Circuit Court Grand Jury had been charged to investigate the lynching but failed to return any indictments.

Washington Tribune
Washington, D. C.

Mississippi Jury Frees Lynchers

MAY 1 1943

HATTIESBURG, Miss. — A backwoods jury, sitting in Federal Court here last week, white-washed three white defendants of any blame in the lynching of Howard Wash, last fall at Laurel, Miss.

It was the first time that the Federal Government had prosecuted any one in connection with lynchings. From the beginning of the trial, it was apparent that the jury would not convict the defendants.

Acquitted were Luther Holden, deputy county jailer, Allen Pryor and Barney Jones, whom the government contended were participants in the lynching of Wash last October.

Defending his clients, Earle Wingo, white, appealed to the prejudices of the jury by declaring that the issue was one of whether the jury wanted to uphold white supremacy or give in to political cliques.

"We may as well face the truth," Wingo said. "This is not a trial to vindicate the lynching of Howard Wash, the Negro, nor is it a trial only to convict the three defendants. It is just another effort on the part of crack-brained interests within the political party of our forefathers to see how much further we of the South will permit invasion of state rights.

The Plaindealer
Kansas City, Kan.

Mississippi Lynching Trial Under Way This Week

Hattiesburg, Miss., April 23 (ANP)—Five white men, one of them a deputy sheriff, went on trial Monday in federal court for violation of U. S. Civil Rights statutes in connection with the lynching last October of Howard Wash, 49, following his conviction and mandatory life sentence for slaying Clint Welborn, white, 55, his dairy farm employer.

This is the first case of its type since 1903 when similar action was taken in Alabama courts, and follows arraignment of the five defendants Monday, April 12, before Federal Judge Sidney Mize.

The five defendants, all of whom pleaded not guilty are: Luther Holder, 45, deputy sheriff and jailer; Nathaniel T. Shotts, 28, grocery clerk; Allen Pryor, 34, pipe fitter; Barney Jones, 38, plant employe and William Oscar Johnson, 51, farmer.

The indictment charges all five with conspiring to deprive Wash of his life without due process of law, and a separate count charges Holder with refusing to protect the victim from a mob of white men who took Wash from the Jones county jail the night of last October 16 and left his body hanging from a bridge. All five defendants are from Laurel, Miss., or vicinity.

The trial was expected to consume considerable time because of the large number of witnesses. Those who were to testify for the government included Circuit Judge [illegible] Collins, Dist. Atty. Alexander Currie, Miss Alice Carter, Jones county circuit court clerk, and Lt. Col. James L. Davis, former state adjutant general in charge of troops which Gov. Paul B. Johnson called out upon being advised of the violence.

Earl Wingo of the defense counsel said 75 witnesses had been subpoenaed by the defense.

The case came under federal jurisdiction when a state court grand jury failed to take action on the lynchings, despite the pleas of Governor Johnson. U. S. action removes the site of the trial from the locale of the lynching and permits the use of jurors from the entire Federal district instead of just from Jones county. The district includes 50 counties.

At the arraignment on April 12, the government attorneys expressed surprise at failure of the defense to demur to indictments. Frank Coleman, special assistant to Atty. Gen. Biddle, suggested a constitutional issue was involved in one of the counts and asked the court to raise the question of sufficiency. This could then be used as the basis of an appeal to the U. S. Supreme Court in the event of an acquittal.

Judge Mize said, however, "I am not going to pass on the validity of this indictment as I have not made it a practice to do so in the past. The attorney general should see that they are valid before indicting a citizen."

Defense attorneys lost a motion to sever Holder's trial from the other four men.

statutes in connection with the lynching last October of Howard Wash, 49, following his conviction and mandatory life sentence for slaying Clint Welborn, white, 55, his dairy farm employer.

This is the first case of its type since 1903, when similar action was taken in Alabama courts, and follows arraignment of the five defendants last Monday before Federal Judge Sidney Mize.

MEN ARE CHARGED WITH LEADING MOB

The men are charged with leading a mob which took Wash from his cell in the Jones County jail at Laurel, Miss., and hung him on a railroad bridge near the scene of the confessed crime.

The five defendants, all of whom pleaded not guilty, are:

Luther Holder, 45, deputy sheriff and jailer; Nathaniel T. Shotts, 28, grocery clerk; Allen Pryor, 34, pipe fitter; Barney Jones, 38, plant employee, and William Oscar Johnson, 51, farmer. All are from Laurel or vicinity.

Pittsburgh Courier

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News
Birmingham, Ala.

The Hattiesburg Acquittals

The attempt of the Department of Justice to find a new legal approach to the lynching problem failed when a Mississippi jury acquitted the defendants at the Hattiesburg trial. The approach was made under federal civil liberties statutes, the government contending that the lynched Negro was deprived of his constitutional rights.

MAY 9 1943

In the defense arguments, of course, much was made of the states' rights issue, and the prosecution of the deputy sheriff and alleged members of the mob was denounced as just another attempt on the part of the federal government to invade the sovereignty of the state of Mississippi.

MAY 9 1943

But state sovereignty has its obligations as well as its privileges, and it is precisely because Mississippi and other states have failed to fulfill their obligations that the Department of Justice acted in this case and that for some years attempts have been made to pass a federal anti-lynching law.

MAY 9 1943

The lynching of Howard Wash was particularly repulsive because the man had been duly tried and duly sentenced to life imprisonment by a Mississippi jury. If the circumstances were such that his crime merited the death sentence, it can be taken for granted that he would have been so sentenced. Mississippi juries are not noted for leniency in cases of this kind. The excuse sometimes given for lynching—that the law does not function effectively—was not present here.

MAY 9 1943

The outcome of the Hattiesburg trial was a victory for mob law, but the defenders of states' rights at that trial may live to see the day when the failure of states to prevent or punish mob law will bring about the federal intervention that they dread.—St. Louis Post-Dispatch.

Courier-Journal
Louisville, Ky.

Mobocracy Is Not A State's Right

The attempt to secure convictions under the federal civil liberties act for a lynching at Laurel, Mississippi, last October failed; but the trial of the cases elucidated facts to demonstrate the better protection from mob violence than a state criminal code is necessary where public opinion is throttled and peace officers are compliant to the demands of a lawless element if not actually accomplices.

This lynching, Mississippi's third in a week, was typical of the crime in its current phase. Few mob murders in recent years have had the excuse of hot blood or miscarriage of justice. None has occurred in states whose laws assess peremptory damages on a county in which mob violence is committed and local officers know taxpayers will hold them accountable for laxity.

The Laurel mob took from a jail guarded by four armed deputies, and hanged, a Negro already convicted of murder and awaiting sentence. The sheriff testified that he had telephoned the deputy in charge, one of the defendants, not to surrender the keys and he identified the other two defendants as men who had asked him for his keys outside the jail.

The jury which acquitted them was drawn from a panel representing fifty southern Mississippi counties. The federal prosecutor said he would turn the evidence over to the state's attorney, but nothing is likely to come of that. A Mississippi grand jury, convened immediately after the lynching, heard the sheriff's testimony one day and adjourned the next to no purpose.

Here's a situation for the contemplation of those who regarded a national law for the protection of American citizens as an invasion of state rights. Mississippi is shamed and helpless. Not only has her law against murder been openly flouted, but her law has proven itself incapable of safeguarding the life of a citizen taken into its protective custody, in a jail locked and barred with steel, guarded by four armed officers, a veritable fortress.

Yet public sentiment against lynching perhaps is as strong in Mississippi as elsewhere. Not many of Jones County's 50,000 inhabitants approve or would tolerate such villainy dared they express themselves. But the members of the mob are convincingly cruel, vengeful and ruthless; having executed a felonious conspiracy, they have a common cause in self-defense. What peaceable

MISSISSIPPI TENSE AS TRIAL BEGINS

Pittsburgh Courier
Pittsburgh, Pa.

HATTIESBURG, Miss., April 19—An air of tenseness pervades this city as five white men—one of them a deputy sheriff—go on trial today in Federal court for violation of the U.S. Civil Rights statutes in connection with the lynching last October of Howard Wash.

A citizens' committee has already been formed to "protect the interests" of the men on trial, it is said.

Wash was lynched following his conviction and mandatory life sentence for slaying Clint Welborn (white), 56, his dairy farm employer.

This is the first case of its kind since 1903, when similar action was taken in Alabama courts, and follows arraignment of the five defendants last Monday before Federal Judge Sidney Mize.

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Pittsburgh Courier

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37h-1943

Age-Herald
Birmingham, Ala.

EXECUTION DATE SET FOR MOBILIAN

MONTGOMERY, Ala., Jan. 28—(AP)—The Alabama Supreme Court affirmed Thursday death sentence decreed for Curtis Robinson, Mobile Negro convicted of attacking a white woman, and set his execution for March 26.

The court previously had upheld the death sentence of Henry Daniels, Jr., indicted in the same case, and set his execution for the same date.

JAN 29 1943

Robinson appealed on several grounds, including those that the jury's verdict was contrary to the evidence and that the prosecuting attorney's statement to the jury was prejudicial.

The Supreme Court, in a decision by Justice Livingston, held that the trial court committed no errors.

In another case, the court reversed a $5,000 judgment awarded to James C. Hartline in Jefferson Circuit Court against the Tennessee Coal, Iron & Railroad Company for injuries allegedly received in blasting operations.

The Daily Worker
New York, N. Y.

Scottsboro

APR 8 1943

TWELVE years ago this week nine Negro boys were sentenced to death in Scottsboro, Alabama. Framed up on a charge of rape, the boys were given a hasty and fake trial lasting three days, from April 6 to 9. Thus was born the Scottsboro Case, out of the most oppressive and backward conditions of the Old South.

APR 8 1943

The nationwide movement which arose in defense of the Scottsboro boys made history. The mass movement, based essentially on the cooperation of labor and the Negro people, and in which the Communists played a leading role, saved the boys from the electric chair and freed four of the youths from prison. The frame-up on the lynch-type charge of rape was exposed. The issue of equal rights for Negroes became national.

As a result of the Scottsboro defense movement, advances were made in winning some of these rights as, for instance, the right of Negroes to serve on juries. Large masses of people, and especially the labor movement, received a broad education on the problems of the Negro people. Undoubtedly, the case had a far-reaching effect in the subsequent successes of CIO organization drives in the South and in helping to bring about a new orientation among large sectors of the white population in the South.

APR 8 1943

The problems of the Negro people today are many and pressing. In the mobilization of the nation for war production and winning the war, discriminatory and oppressive policies and acts against the Negro constitute serious obstacles which must be overcome by the united efforts of labor and the Negro people. These problems will be the subject of discussion and action of the Eastern Seaboard Conference this weekend, called by the National Negro Congress. The lessons of Negro-white unity and of concerted action which are provided by the Scottsboro defense movement should be of service in meeting our present problems.

APR 8 1943

DEATH SENTENCES OF TWO AFFIRMED

JAN 22 1943

MONTGOMERY, Ala., Jan. 21—(AP)—The Alabama Supreme Court affirmed Thursday a death sentence decreed for Ellis Howard Rowe, convicted in Montgomery Circuit Court of the slaying of David Blakey, member of a prominent Montgomery family, and set his execution for March 26.

Execution of Henry Daniels, Mobile Negro convicted of attacking a white woman, was set for the same date, as the Mobile Circuit verdict also was affirmed.

Blakey's body, the hands bound together, was found in the Alabama River near here Nov. 28, 1941, several days after he had disappeared from his home. Charlie Ray Holland, Montgomery youth indicted along with Rowe in the slaying, received a life sentence and has not appealed.

JAN 22 1943

The state charged that Holland and Rowe met up with Blakey on a downtown street, drank with him and then took him to the Alabama River after beating him and tying his hands together.

In Thursday's decision, Justice Thomas held there was no evidence to support Rowe's plea of innocence by reason of insanity.

Daniels was accused of being one of two Negroes who attacked a white woman in 1941. A companion case involving the other defendant is pending in the high court.

ALABAMA

Birmingham, Ala., News
June 6, 1943

Negro's Execution Ends Court Fight

BESSEMER, Ala.—The execution of Frank Johnson, Bessemer Negro, in Montgomery Friday on a charge of criminal attack, for which he was convicted in the Bessemer Division of Circuit Court before Judge Gardner F. Goodwyn, was of interest in court circles here and ended a case that Solicitor Arthur Green designated as the "most heinous crime he had ever prosecuted."

Johnson was tried in the local court and convicted April 23, 1941. The verdict was later confirmed by the Alabama Supreme Court and the United States Supreme Court declined to review the case.

The date of execution was set by Gov. Frank Dixon when an appeal was taken to the District Federal Court in Montgomery for writ of habeas corpus, which was denied. The U. S. Court of Appeals to which the case was appealed also denied the petition and the case was again carried to the United States Supreme Court with the same result.

A writ of habeas corpus was filed in the Montgomery Circuit Court then, which was denied, and the Alabama Supreme Court, to which the case was again appealed, declined to order a stay of execution Thursday of this week.

Johnson had five charges against him here, all of which carried capital punishment. They were for criminal attack and first degree burglary.

April 19, 1942

U. S. Supreme Court Stays Negroes' Execution

WASHINGTON —(AP)— The Supreme Court granted Monday a stay of execution for Henry Daniels, Jr., and Curtis Robinson, Negroes convicted of criminal attacking a white woman at Mobile, Ala., and sentenced to die on April 23.

A stay was sought to give time for filing a petition for a review of an Alabama Supreme Court decision upholding the conviction in the Mobile County Circuit Court.

The offense charged was alleged to have taken place on Aug. 19, 1941.

They contended, through an attorney, that the conviction was obtained through a confession obtained "by force and intimidation, i. e., beatings, threats of lynching, etc., and by prolonged questioning."

Birmingham, Ala., News
September 25, 1943

Two Scottsboro Boys Are To Be Considered For Parole By Board

Judge Alex Smith Says Pair Has Good Record During Last Six Years

MONTGOMERY, Ala.—Two of the Negro principals in Alabama's Scottsboro case are being considered for parole, Judge Alex Smith, State Parole Board chairman, announced Friday.

The men are Andy Wright, 30, of Chattanooga, under 99-year sentence, and Charlie Weems, 31, of Atlanta, under 75-year sentence.

Convicted on attack charges, both Wright and Weems, said Judge Smith, have good prison records, and a "decision will be made soon in their case."

The judge added that another Negro in the case, Clarence Norris, 32, of Warm Springs, Ga., will be considered for parole sometime in October. Norris is serving a life term.

Two other Negroes in the case, Ozie Powell, 28, of Atlanta, and Haywood Patterson, 29, of Chattanooga, are held in an Aabama prison. Neither, said Judge Smith, will be considered for parole for several years on the basis of present conduct records.

Powell is under a 20-year term for conviction on a charge of assault with intent to murder. Patterson is serving 75 years on an attack conviction.

All five, the board chairman said, have served only six years of their sentence, since convictions in the 1931 case were not obtained until 1937.

The case, originally involving nine Negroes, grew out of charges that they attacked two white women while riding on a freight train in the vicinity of Scottsboro, Ala.

Scottsboro Trial Figure Released

Atlanta, Ga. Journal
November 19, 1943

KILBY PRISON, Montgomery, Ala., Nov. 19.—(U.P.)—One of the five "Scottsboro boys" convicted of attacking two white girls and sent to prison following one of the most bitter civil liberties trials in United States Court history—walked free the office of Warden R. R. Williams here Thursday a free man after serving six years of a 75-year sentence.

The Negro, Charlie Weems, of Atlanta, appeared outwardly unmoved by his release on parole, but said that he was "overjoyed and happy" to be free. As he entered the warden's office, he carried with him a small pocket Bible.

Prison officials did not know whether Weems was of a religious nature, but the Negro said that he had found that "it doesn't pay to be ugly."

Scottsboro Trial Figure Paroled to Atlanta Laundry

Atlanta, Ga., Constitution
November 19, 1943

Charlie Weems, 31-year-old Atlanta Negro, one of the principal figures in the sensational Alabama "Scottsboro case" trials several years ago, has been paroled.

Advices from the State Parole Board in Montgomery said Weems was released yesterday with a provision that he go to work in an Atlanta laundry.

Weems, who was serving a 75-year sentence, will be under jurisdiction of the Georgia Parole Board, Kilby prison officials said. Weems is the first of the "Scottsboro" prisoners to be paroled.

'SCOTTSBORO CASE' PAROLE IS GRANTED

Birmingham, Ala., Age-Herald

MONTGOMERY, Ala., Nov. 15—(AP)—Charlie Weems, 31-year-old Negro, one of the principals in Albama's "Scottsboro case" trials of several years ago, will be paroled Thursday, November 16, 1943

The State Parole Board announced Monday that Weems has been offered employment in an Atlanta laundry. Atlanta is listed as his home on Parole Board records.

First arrested in 1931 along with eight other Negroes charged with attacking two white women while

Montgomery, Ala., Nov. 18 (AP)—Charlie Weems, 31-year-old Negro, a principal in Alabama's "Scottsboro case" trials of several years ago was paroled after a final

Four were released after serving a 99-year sentence, also

Scottsboro, Ala., State, Columbia, S. C., November 19, 1943
SCOTTSBORO PRINCIPAL PAROLED

Andy Wright, 30, of Chattanooga is still in prison.

Weems is the first to be paroled

...oday.

The state parole board, which announced that Weems would be released, said he will work in an Atlanta laundry. Atlanta was listed as his home.

Johnson City, Tenn Chronicle
November 19, 1943

Negro Principal In Scottsboro Case Is Paroled

MONTGOMERY, Ala., Nov. 18. (AP)—Charlie Weems, 31-year-old Negro, a principal in Alabama's "Scottsboro case" trials of several years ago, was paroled today.

The state parole board, which announced Monday that Weems would be released today, said he will work in an Atlanta laundry. Atlanta was listed as his home.

Weems, serving a 75-year sentence on a rape conviction, will be under the jurisdiction of the Georgia state parole board, Alabama officials said on his release from Kilby prison.

Along with eight other Negroes, he was arrested in 1931 and charged with attacking two white women while riding a freight train near Scottsboro, Ala. The case attracted wide attention.

Several trials were held, the final one in 1937. At that time four of the Negroes were released and five imprisoned. Weems is the first to be paroled.

Andy Wright, 30, of Chattanooga, under a 99-year sentence in the same case, is under consideration for parole pending employment approved by the parole board, the board said.

Parole Near For 2 In Scottsboro Case

Advertiser

Wright And Weems Under Consideration

Montgomery, Ala.

Two negro prisoners who figured in Alabama's Scottsboro trials are under consideration for parole, Judge Alex Smith, parole board chairman, said yesterday.

He said the men were Andy Wright, 30, of Chattanooga, under a 99-year sentence, and Charlie Weems, 31, of Atlanta, under a 75-year sentence. Both were convicted on charges of criminal assault.

Wright and Weems, he added, had good prison records and a decision in their case would be made soon. Five of the Scottsboro case principals are in prison and all were denied parole in 1940 by the present parole board.

Another prisoner, Clarence Norris, 32, of Warm Springs, Ga., whose death sentence on an assault conviction was commuted to life by the late Gov. Bibb Graves, will be considered for parole some time in October, Judge Smith said.

Ozie Powell, 28, of Atlanta, under a 20-year sentence for conviction on a charge of assault with intent to murder, and Haywood Patterson, 29, of Chattanooga, under a 75-year sentence for an assault conviction, would not be considered for parole for several years on the basis of conduct records, Judge Smith added.

He said the five prisoners had served six years on their sentences. They were imprisoned in 1937 after their conviction although they had been in custody since March, 1931, when they were first arrested, he continued.

The case attracted wide attention from the time of the arrest of the negroes, nine in all, until after their final trial several years later. They were charged with attacking two white women on a freight train while riding as "hoboes."

2ND SCOTTSBORO PAROLE STUDIED

Birmingham Post

Case Of Andy Wright Heard After Charlie Weems Is Given Freedom

Birmingham, Alabama

By United Press.

MONTGOMERY, Nov. 19. — The Alabama Board of Pardons and Paroles turned today its attention to the parole application of a second Scottsboro defendant, Andy Wright, following release yesterday of Charlie Weems.

The latter, first of the five Negroes to win freedom from prison terms on a charge they criminally attacked two white girls on a freight train between Huntsville and Chattanooga, will be released as soon as a satisfactory program of employment and supervision can be worked out, the board announced late yesterday.

Weems was freed to return to Atlanta, where he will work in a laundry and report monthly to the Georgia Board of Pardons and Paroles. The latter, in turn, will detail his progress and conduct quarterly to the Alabama board.

Nine Negroes were arrested in 1931 charged with the crime. The case was fought through the courts for six years, with trials being held for one or more of the accused.

In 1937 the state agreed to nol pros charges against four of the youths. Four others were given prison terms and a fifth sentenced to electrocution, but Governor Graves commuted the sentence to life imprisonment.

A former Atlanta drug store porter, Weems has been "taking up cotton" in a Kilby Prison cotton mill during his years of incarceration there. In new job he will make $16 a week and "more if deserving," the employer has promised.

TWO MOBILE NEGROES PAY DEATH PENALTY

Birmingham, Alabama

By United Press.

MONTGOMERY, Aug. 13. — Two Mobile Negroes, Curtis Robinson and Henry Daniels, went to their death in Alabama's electric chair today following conviction for rape.

After an investigation of their story that they were beaten into confessing, Governor Sparks denied clemency yesterday, explaining there had been no substantiation of their charges.

Solicitor Bart Chamberlain wrote the governor that the confessions were made in his presence, the defendants were not mistreated and there was no evidence of any violence and no indication to lead one to believe they were whipped or mistreated.

Sheriff Wm. H. Holcombe jr., said he did not permit his deputies to mistreat prisoners.

The governor also made his own investigation.

Age-Herald

Birmingham, Ala.

'SCOTTSBORO CASE' PAROLE IS GRANTED

MONTGOMERY, Ala., Nov. 15—(AP)—Charlie Weems, 31-year-old old Negro, one of the principals in Albama's "Scottsboro case" trials of several years ago, will be paroled Thursday.

The State Parole Board announced Monday that Weems has been offered employment in an Atlanta laundry. Atlanta is listed as his home on Parole Board records.

First arrested in 1931 along with eight other Negroes charged with attacking two white women while riding on a freight train near Scottsboro, Ala., he has been serving a 75-year sentence on a conviction of criminal assault.

Andy Wright, 30, of Chattanooga, serving a 99-year sentence, also is being considered for parole. Three others, convicted in the same case, are still in prison.

Weems is the first to be paroled. Four were released after a final trial in 1937.

News

Birmingham, Ala.

'Scottsboro Case' Negro Is Paroled

MONTGOMERY, Ala., (AP) — Charlie Weems, 31-year-old Negro and a principal in the "Scottsboro case" of several years ago, will go to work in his home town, Atlanta, Ga., under the supervision of the Georgia Parole Board.

The state parole board announced Thursday that Weems had been released on parole from Kilby Prison, where he was serving a 75-year sentence on a criminal attack conviction in connection with the case. He will work in an Atlanta laundry.

Weems was arrested in 1931 along with eight other Negroes on charges of attacking two white women while riding a freight train near Scottsboro, Ala. Four of the Negroes were released and five imprisoned after final trials in 1937. Weems is the first of the five to win parole.

The parole board said Andy Wright, 30, of Chattanooga, another of the principals, was being considered for parole. He is serving a 99-year term.

Scottsboro Negroes' Paroles Considered

News

Birmingham, Ala.

MONTGOMERY, Ala.—(AP)—Parole for two Negro prisoners who figured in Alabama's Scottsboro trials was under consideration Saturday by the State Parole Board.

Judge Alex Smith, board chairman, said Andy Wright, 30, of Chattanooga, under a 99-year sentence, and Charlie Weems, 31, of Atlanta, under a 75-year sentence, are under consideration. Both were convicted on attack charges.

Judge Smith told reporters Friday the two men have good prison records and a decision in their cases will be made soon.

Five of the Scottsboro principals are in prison and all were denied parole in 1940 by the present parole board. They have been imprisoned since 1937, date of the final trial. The defendants, nine in all, were first arrested in 1931.

The case attracted wide attention. It grew out of charges that the nine Negroes attacked two white women while riding on a freight train as "hoboes" near Scottsboro, Ala. Four of the nine were released in 1937.

Age-Herald

Birmingham, Ala

SCOTTSBORO CASE PAROLES STUDIED

MONTGOMERY, Ala., Nov. 11.—(AP)—Parole for two Alabama prisoners who figured in the "Scottsboro case" several years ago is still "under consideration," parole board officials reported Thursday.

The prisoners are Andy Wright, 30, Chattanooga, serving a 99-year sentence, and Charlie Weems, 31, Atlanta, serving a 75-year sentence. Three others from the same case are also in prison.

The case arose in 1931 when 9 Negro youths were arrested and charged with attacking two white women while riding as hoboes on a freight train near Scottsboro, Ala.

Second Scottsboro Youth May Be Freed

Alabama May Release Two More 'Scottsboro Boys'

Daily Worker

MONTGOMERY, Ala.—(ANP)—Andy Wright, a second Scottsboro defendant, is being considered for parole by the Alabama Board of Pardons and Paroles.

Wright's case follows that of Charlie Weems, first of the five Negro boys to win freedom from prison terms on a charge they criminally attacked two white girls on a freight train between Huntsville and Chattanooga. Wright will be released soon as satisfactory provisions of employment and supervision are made.

Weems, freed Thursday, returned to Atlanta where he will work in a laundry and report monthly to the Georgia Board of Pardons and Paroles. The latter, in turn, will detail his progress and conduct quarterly to the Alabama board.

Nine Negroes were arrested in 1931 charged with the crime. The case was fought through the courts for six years, with trials being held for one or more of the accused.

In 1937 the state agreed to nol pros charges against four of the youths. Four others were given prison terms and a fifth sentenced to electrocution, but Governor Graves commuted the sentence to life imprisonment.

A former Atlanta drug store porter, Weems has been "taking up cotton" in a Kilby Prison cotton mill during his years of incarceration there. In new job he will make $16 a week and "more if deserving," his employer has promised.

Leniency; Youths Die

MOBILE, Ala., Aug. 19—At the end of a 30-day reprieve, granted on request of Governor Graves, that they be executed in the Mobile police case of Clarence Norris, one of the original nine youths convicted in the Scottsboro case, along with two others, for criminally assaulting two white women on a train near Scottsboro in March, 1931.

Smith said it was likely within a week that the board would then grant a pardon or parole to Norris, that the prison records of Haywood Patterson and Ozie Powell did not justify a favorable view of their parole applications at this time. Several years ago Andy Wright and Charlie Weems, convicted in the Scottsboro case, were released.

Courier

Pittsburgh, Pa

Governor Refuses

...Alabama, Nov 25 1943

...Second Scottsboro Youth May Be Freed

...Atlanta Daily World

...In his new job, Weems will earn $16 a week and "more if deserving," his employer has promised.

...Released in the Scottsboro case, Andy Wright, 30, Chattanooga Negro, was paroled Thursday, declaring that he will work for his innocence to the last breath.

37h-1943

Alabama

7040

2 Electrocuted At Kilby Early Today

Montgomery, Ala.

Curtis Robinson and Henry Daniels, Jr., Mobile Negroes convicted of assaulting a white woman in Mobile in 1941, were electrocuted at Kilby State Prison early this morning.

Daniels was the first to be strapped in the chair, and at 12:20 a.m. he was pronounced legally dead. Robinson followed and at 12:30 a.m. he likewise had expiated the crime he was accused of.

Advertiser

Both men, in final statements before the steel helmet and electrodes had been attached, protested that they were dying as innocent men.

The two negroes had been given a 30-day reprieve by Gov. Chauncey Sparks a month ago when they testified at a clemency hearing that they were beaten in the Mobile jail and forced to confess.

At another clemency hearing Thursday the Governor said the 30-day investigation had failed to substantiate their claims and on that basis he denied a second clemency plea.

of the two soldiers. He also indicated that he had requested Atty. John Canfield Bradley, Seattle, Wash., to proceed to Mobile Island to take sworn statements from the boys substantiating his charges last week that they had been victims of the "Third Degree" administered by prejudiced Southern white officers in New Caledonia.

Chicago Bee

Electrocute Two for Rape Despite 'Duress'

Chicago, Illinois

MONTGOMERY, Ala., Aug. 19—(ANP)—Curtis Robinson and Henry Daniels died in the electric chair last week after Gov. Sparks had denied clemency on charges that the two prisoners were beaten by police into confession of rape. The governor said that investigation failed to substantiate claims of police brutality.

Solicitor Bart Chamberlain wrote the letter explaining that the confessions were made in his presence and came of the own volition of the two men. He said that there was no evidence of any violence or other mistreatment. William H. Holcombe, Jr., sheriff, declared he did not permit his men to use force on prisoners.

AUG 22 1943

'Scottsboro' Convictions Cases To Be Probed

NOV 13 1943

WASHINGTON, D. C. — The Office of Under Secretary of War Robert P. Patterson [illegible] Representative Vito [illegible] (D., N.Y.) last week [illegible] a special board of general officers would be established [illegible] hear arguments in behalf of [illegible] of two Negro soldiers—Pvts. Edward Fisher, Jr., and Edward R. Lowry—convicted last [illegible] in Noumea, New Caledonia, [illegible] of rape and sentenced [illegible] life imprisonment at Fort Leavenworth, Washington.

The congressman, who, last week charged that these soldiers were victims of a "vicious Scottsboro frame-up [illegible] and demanded [illegible] to appeal the cases. He was advised that a date for oral argument on the appeal would be set "as soon as necessary records can be assembled."

Marcantonio said this week that he had communicated with the [illegible] mother of Private Fisher, Mrs. Sallie Banks of Texarkana, Texas, and with the aunt of Private Lowry, Mrs. Florence Young [illegible], Ill., assuring them that he would do everything possible [illegible] complete exoneration

7041

Bonding Co. Is Named Jointly "Responsible"

Daily World 1943

Charges Rights And Privileges Were Violated

Atlanta, Georgia

CHICAGO — (ANP) — Suit to recover $10,000 damages against acting Sheriff Hede Jackson of Mississippi County, Ark., and the American Bonding company of Baltimore was filed in U. S. District court last week by Attorney William Henry Huff on behalf of James Buchanan, who charges he was held in a state of peonage from December 19, 1942, until the latter part of February, 1943, by Jackson and his deputy. Buchanan escaped and made his way to Chicago after being held in involuntary servitude for a period of 13 weeks.

OCT 3 1943

According to the brief filed by Huff, his client was taken into custody by Jackson on November 19, 1942, without legal warrant and lodged in jail for five weeks, thus depriving him of "his rights and privileges as a citizen of the United States," and in violation of the "privileges as a citizen of the United States" and immunities secured by the constitution and the laws of the United States providing for equal rights of citizens of the United States to persons within the jurisdiction of the United States."

After the five-week period in jail, Buchanan, it was charged, was turned over to Jackson's deputy, one Rainmiller, on the condition that the plaintiff would remain with the said Rainmiller for the duration of his life without pay or compensation and that the plaintiff would assist the said Rainmiller in construction house for himself and family." The petition states that Buchanan was forced, with the knowledge and consent of Sheriff Jackson, to labor without pay or compensation and was held in involuntary servitude by Rainmiller under aegis of the sheriff until he escaped.

The American Bonding company was held equally liable by Huff who said that as the securer of a $5,000 bond on Jackson to insure faithful discharge of his duties "knew or by the use of reasonable diligence should have known" of the wrongs committed by the sheriff.

OCT 3 1943

37h-1943
Chicago Bee.
Chicago, Illinois

ARKANSAS

7042

PROSECUTOR OF COPS WHO RAPED GIRL TO DROP CASE

JAN 10 1943

LITTLE ROCK, Jan. 7—(ANP)—Negro citizens of Little Rock and the entire state are aroused over the attitude taken by the prosecuting attorney in the matter of the two former city policemen, L. S. Mullenax and C. N. Edie.

JAN 10 1943

Both were indicted by a grand jury on a charge of raping a 19-year-old colored girl while they were police officers in uniform, the prosecution ended in a mistrial last July 28.

Upon the mistrial, the case was put up to August 21. The date passed. The new trial was not held. The prosecuting attorney now comes forward with the opinion that the case will be probably dropped, or else the charge modified so that the death penalty cannot be invoked.

The trial justice congratulated the moral courage of the grand jury in bringing in the indictment of white men on a charge of rape on a Negro girl. The office of the prosecutor received the approbation of colored citizens on his fair and able prosecution of the case in the court. The fact that the jury could not agree indicated the strength of his prosecution.

The Negroes of Little Rock are demanding that the defendants be tried again on the charge of rape as appears in the indictment. Any other procedure will be a serious tampering with the administration of law, they point out.

37h-1943
The Plaindealer
Kansas City, Kan.

BERMUDA

7043

LIFE FOR WHITESOLDIER WHO RAPED WOMAN

JAN 1 1943

Halifax, Bermuda, Jan. 1 (ANP) Pvt. W. Ferrell, white, of the U. S. Army has been found guilty of raping Mrs. Susan Olive Packwood, 38 year old colored Bermudian, and sentenced to life imprisonment by an American court martial, the first one held in this West Indies Island now overrun by American soldiers.

After a trial which lasted three days and a half, Ferrell who is a native of South Carolina, was sentenced by the court to be dishonorably discharged from the army, with stoppages of all pay and allowances and to serve imprisonment with hard labor for the rest of his natural life.

The crime took place on the night of Oct. 6, when the accused accosted the victim on the public road, struck her over the eye and drew her into the shrubbery where the offense was committed.

Ferrall, who was the only witness for the defense, denied all knowledge of the charge. Eleven witnesses were called by the prosecutor, trial Judge Advocate Capt. Charles Beaudry of the U. S. Army, Col. Franklin E. Edgecombe was president of the court martial which included eight other ranking American officers. Capt. Robert L. Sherman was lawyer for the defe

7044

SOLDIER RAPIST ESCAPES; GUARD ACTRESS VICTIM

Chicago Tribune
Chicago, Illinois

Police Watch Home of Lina Basquette.

SEP 11 1943

Los Angeles, Sept. 10 (AP).—Civil authorities guarded the home of Lina Basquette, former screen star, today after the escape from the March Field, Cal., guardhouse of Pvt. George P. Rimke, under sentence to life imprisonment on his court-martial conviction last month of raping her.

After his conviction at the Muroc, Cal., air base, Rimke defiantly shouted, "I'll get you if it's the last thing I do," referring, army officers said, to Miss Basquette and Capt. George H. Rawlins, assistant judge advocate who prosecuted him.

Notified of Threat.

Police said Capt. Elbert R. Lewis, March field provost marshal, had notified them:

"This is to call your attention to the threats made by Rimke on the lives of the victim and the trial judge advocate. The trial judge has been warned, and it might be advisable to warn the victim."

March field authorities would not disclose how Rimke escaped. A spokesman said merely that no one was injured.

Sheriff Carl Rayburn of Riverside county said Rimke was last reported seen at 6 p. m. yesterday.

Gets Military Trial.

Rimke was found guilty after a one-day trial by military court martial. Miss Basquette testified that she gave the soldier a lift in her automobile in Burbank, that he halted the car, forced her into the rear seat and raped her. Rimke declared he resorted to force.

When Lt. Col. William M. Smith, president of the trial board, passed sentence, Rimke rose to his feet and, pointing to Capt. George H. Rawlins, assistant judge advocate, who prosecuted him, shouted:

"I'll get you if it's the last thing I do!"

PM
New York, N. Y.

Pvt. George P. Rimke, under life sentence for raping Lina Basquette, former film star, has returned to the March Field, Cal.,

on his own [illegible] attempting to explain that [illegible] not an escape last Thursday night when he departed and went to Hollywood. All he wanted, he said, was the advice of a civilian lawyer, which he got. The lawyer's advice was to surrender and stay in custody pending a plea for a new trial.

Private Who Attacked Actress On Way Back To Army Guardhouse

Age-Herald
Birmingham, Ala.

LOS ANGELES — (AP) — Pvt. George P. Rimke, convicted attacker of Lina Basquette, former actress, is on his way back to March Field, Calif., Army guardhouse from which he escaped Thursday.

SEP 12 1943

S. S. Hahn, Los Angeles attorney, told newsmen Saturday that Rimke appeared at his office Friday and asked to retain him as counsel in an attempt to get a new trial in the court-martial which resulted in a sentence of life imprisonment for the private.

Capt. Elbert R. Lewis, provost marshal at March Field, stated that Rimke had been taken under military control and that a guard from the field would take him into custody Saturday.

Hahn stated that Rimke told him he had hitchhiked and walked from the field at Riverside, Calif., to Los Angeles after he saw his chance to escape from the dining room at March Field and "just walked out."

He told the lawyer he borrowed a pair of civilian trousers to substitute for his guardhouse denims.

Hahn said he would try to get another hearing for Rimke.

Courier-Journal
Louisville, Ky.

Soldier Gets Life Term For Rape and Robbery

Muroc Air Base, Aug. 26 (AP)—[illegible] court martial today convicted Pvt. George Paul Rimke of raping and robbing Lina Basquette, prominent actress in the days of silent films, and sentenced him to life imprisonment.

AUG 27 1943

The verdict was reached by a trial board of nine commissioned officers after a one-day hearing yesterday.

Representatives of the Muroc Public Relations Office said Rimke can appeal the conviction and sentence to the War Department, and finally to the President, if they are upheld.

37h-1943
Washington Post
Washington, D. C.

D.C.

7045

Catoe Dies in Chair; Goes to End Singing

Jan. 14, 1943

Murderer Chants Hymn on Last Walk In District Jail

With no more show of emotion than he displayed while confessing six brutal rape murders, Jarvis Theodore Roosevelt Catoe, Negro, 38, walked unaided to his death in the electric chair at the District Jail yesterday.

He was pronounced dead at 10:13 a. m., five minutes after the current was shot through his body.

Accompanied by his spiritual advisor, the Rev. James L. Pinn, pastor of the Goodwill Baptist Church, Catoe chanted the hymn "Precious Lord, Take My Hand" as he approached the death chamber.

At the door he paused momentarily and then waved to Jail Superintendent E. A. Green. As he sat limply in the chair, his right hand gripping the arm, he resumed the hymn. . . . "Lord, lead me on. . . ."

Catoe was executed for the slaying of Rose Abramowitz, bride of a month, who was strangled in her apartment at 1900 Sixteenth Street Northwest, March 8, 1941.

A former District cab driver, Catoe was seized here in August, 1941, in connection with the murder in New York City of Evelyn D. Anderson, 26. He admitted five local slayings, the Anderson strangulation, 10 rapes and two attempted rapes, but later repudiated all his confessions.

Catoe Denied He Killed Mrs. Dancy

Jarvis Roosevelt Catoe, 37, sex killer who had a rendezvous with the electric chair in the District Jail this (Friday) morning reputed a former confession that he slew Mrs. Florence Dancy, 65, widow of a former recorder of deeds, in April of 1935.

When caught in 1941, Catoe is said to have confessed a number of murders, including that of Mrs. Dancy. As a result, efforts were begun to obtain the release of James Matthew Smith, 43, now serving life for the widow's death.

Jan. 16, 1943

Catoe's statement was taken in the District jail. It had been planned to have him take the witness stand in the District court. But on the night before, the condemned man broke out of line in the jail refectory, climbed up to a bar 65 feet above the floor and perched there for three hours before he could be coaxed down.

Washington D.C.

He testified in the jail conference room, denying that he killed Mrs. Dancy. Catoe said he would deny the crime if he were called into court as a witness and that the statements in the confession attributed to him were untrue. He maintained the denial under questioning by his own and Government attorneys, as well as Smith, the lifer.

Catoe Dies in Chair For Woman's Murder

Washington Tribune
Saturday Jan. 16, 1943

The electric chair in the District Jail caught up with Jarvis Roosevelt Catoe this morning (Friday), as he paid with his life for the sex-slaying of Mrs. Rose Abramowitz, white government worker, in her honeymoon apartment at 16th and T Streets, Northwest, in 1941.

The man who confessed to slaying and killing half a dozen women and whose plea for Executive clemency was denied by President Roosevelt, was led to the death chamber under heavy guard at 10:05 this morning, and 8 minutes later was pronounced dead by the jail physician and the District coroner.

Counsel for Catoe had fought bitterly to save him from the electric chair. Catoe, a former police informer, knew how to pull his acts too. Last week he startled jail officials by scaling a 65-foot wall at the jail, and perching upon an iron bar for three hours while firemen, police, inmates, jail officials, and his religious adviser tried to get him to come down.

He finally dropped into the net firemen had hastily put up, and was immediately led back to his cell and placed in a straight jacket.

The Catoe, who was led to the electric chair this morning, was different from the cocky, self-confident person who boasted in detail of his many escapades which led to his capture.

While he was heavily guarded enroute to the death chamber, Catoe appeared weary, and reconciled, at last, to his fate. As he entered the chamber, the sight of the electric chair caused him to flinch, but he was placed and strapped in it so fast, his reactions had not time to materialize.

A Tribune reporter, and reporters from the four daily newspapers acted as official witnesses at the execution.

Afro-American
Baltimore, Maryland

Jas. McKenzie Convicted 2nd Time of Attack

NOV 27 1943

Found Guilty by All-White Jury Despite "Airtight" Alibi

DEATH PENALTY IS NOT RECOMMENDED

Description Given by White Accuser Did Not Fit Defendant

WASHINGTON

James R. McKenzie, 23, of 530 Hobart Street, Northwest, retried on a charge of criminally attacking a white woman, was again convicted this week by an all-white jury in District Court, in spite of an apparently airtight alibi.

The verdict, however, did not carry the death penalty as in the previous trial.

McKenzie, convicted in June, 1941, of a criminal attack on Mrs. Vada C. Abenca, white, of Takoma Park, Md., at the Aristo Cleaners in the 3400 block Fourteenth Street, Northwest, was at that time sentenced to die in the electric chair.

John H. Wilson, noted criminal lawyer, who represented McKenzie at his first trial, appealed the conviction on grounds of prejudicial statements to the jury, the lower court being later reversed and a new trial ordered.

Description Fails to Fit

Backbone of the defense argument was the fact that the description of the alleged attacker given by the woman did not in any way fit the man on trial, the attorney contending that the alleged victim made "a human mistake."

The defense pointed out that after police had scoured the whole northwest section of the city and failed to find a suspect to fit the description, Mrs. Abenca cried out: "My God, there's the man" on sighting McKenzie while he was riding in a police car on Georgia Avenue, June [illegible] 41.

It was [illegible]nded also by the defense that while the description called for a man 30 or 35 years old, McKenzie was 21. She said her attacker was clean-faced, dark, with a deep-set nose.

At Home at Time—McKenzie

The defense pointed out that McKenzie's physical makeup does not coincide in the least with the description given by the alleged victim.

McKenzie testified that he was at his home all afternoon on the day of the alleged attack, his story being verified by the testimony of Mrs. Patricia Smith, a neighbor.

Consensus among colored and white laymen at the conclusion of the trial is unanimously that the defendant did not commit the crime with which he is charged. McKenzie is to be sentenced this week by Justice Matthew F. McGuire before whom he was tried.

Post
Washington, D. C

Defendant Stands Trial Again on Charge of Rape

James R. McKenzie, 23, Negro, who resided at 530 Hobart [illegible] N.W., went on trial in Municipal Court yesterday, charged with raping at gunpoint a 36-year-old cleaning store clerk.

The assault was committed two years ago and McKenzie was sentenced to die in the electric chair, but his conviction was reversed by the United States Court of Appeals, who found that prejudicial remarks had been made to the jury.

Defense Attorney Charles E. Ford attacked the identification of the man by the woman, who stated she was positive McKenzie was her assailant. Ford was appointed by the court to the defense.

An all-male, all-white jury is hearing the case before Justice Matthew F. McGuire. Assistant United States Attorney Bernard Margolius is prosecutor.

Post
Washington, D. C.

Another Offender Sentenced

McKenzie, Once Sent to Chair, Gets 15 to 45 Years in Rape Case

"Abandon hope, all ye who enter here," Justice Matthew F. McGuire of District Court commented yesterday on the way of life of two men on whom he imposed sentences in rape cases.

The first to be sentenced was James B. McKenzie, 4, Negro. He was sentenced to 15 to 45 years' imprisonment for the rape at gun point and robbery of a 6-year-old woman in a cleaning store in June, 1942.

In a previous trial, McKenzie was sentenced to die in the electric chair, but the verdict was overruled by the United States Court of Appeals because of an improper charge to the jury.

When McKenzie protested his innocence, Justice McGuire recalled that it was a jury which had found the defendant guilty. Justice McGuire said, "There is altogether too much of this attacking of women and girls here. It has got to stop."

Then he repeated Dante's line.

Justice McGuire praised the conduct of the trial by Assistant United States Attoreny Bernard Margolius, and said McKenzie was lucky to have such an able defense attorney as Charles E. Ford, appointed by the court.

When Joseph J. Penner, 24, of New York, came before Justice McGuire, the defense attorney described Penner as an imbecile with the mental age of 9 years. Penner got 10 to 30 years' imprisonment.

Penner was convicted of relations with a 12-year-old girl in Gallaudet Woods on March 14 when he was hitchhiking from Norfolk to New York. The girl was attacked while she was searching for flowers on a spring day.

Justice McGuire said that under the law a person is responsible with the mental age of seven, and a child of nine years old knows the difference between right and wrong.

"He ... [illegible] ... when are the product of ... age. God to them is a benevolent old man up in the clouds. These people fear neither God, man, nor the devil.

"And if they allude to God at all they say God is love, forgetting God is also just. The devil is a joke to them. If they pay any attention to man-made laws, they say, 'I'll take the chance if I break them.'"

Afro-American
Baltimore, Maryland

Divinity Student Freed on 'Framed' Morals Charges

WASHINGTON

William V. Clark, 40-year-old divinity student and Government worker, on Monday was exonerated of charges of rape and assault with intent to rape, preferred by three girls ranging in age from 8 to 10 years.

District Court Justice Matthew McGuire directed the jury to return a verdict of not guilty, remarking that the case presented the worst conglomeration of vulgarity he had ever heard.

The judge decided to take the case from the jury and direct a verdict for the defendant while Emory B. Smith, defense attorney, was cross-examining Joann (Sue) Johnson, 10, the alleged leader of a gang of seven girls.

Clark's defense was that the charges were framed by Sue. The indictment alleged that Clark had criminally assaulted Lorraine Young, 10, on August 28, and had attempted to assault Rose Marie Alfred, also 8, on August 28 and September 3, and also had attempted to assault Sue on August 29.

The testimony showed that ill-will existed between these children and the Clark family because of an alleged approach by these tots to Clark's son, William.

Because William spurned their overtures, Sue was said to have told William that they were going to frame a story to fix Mr. Clark. Sue admitted she had told William that.

"Indecent" Drawing Shown

The climax of the trial came when Sue identified indecent drawings for which she had been whipped by her grandfather. They were described as amazing for a child of her age.

Lorraine's mother was not permitted to testify.

Clark, father of seven children, is a theological student at the Baptist Seminary. A number of Baptist ministers were interested in the case.

Post
Washington, D. C

Judicial Paradox

Representative Hobbs, we understand, intends to introduce into the House today a bill designed to prevent in future any such anomaly of justice as has just occurred the other day in the local District Court in the case of one Haywood Wilborn, a young Negro charged with housebreaking and an attempt at rape. In this case we had the amazing paradox of a judge who, while directing a verdict of "not guilty," stated his belief that such a verdict was nothing short of "a miscarriage of justice."

The principal evidence against young Wilborn was a confession signed by himself. The identification by the young woman upon whom the rape had been attempted was not positive. But while apparently fully satisfied of the truth of the confession, Justice Pine said he was obliged to rule it inadmissible, because of a lapse of some 14 hours between Wilborn's arrest and his arraignment in the Juvenile Court. On this point Justice Pine was following a decision of the Supreme Court handed down early this year by Mr. Justice Frankfurter. That decision involved the case of three Tennessee moonshiners named McNabb who had been convicted on their own confession of second degree murder in the slaying of a Federal revenue agent. The conviction had been sustained by an appellate court. The Supreme Court, however, ruled that confessions obtained in cases where the prisoner has not been taken immediately before a magistrate or commissioner or some other judicial officer must be ignored by the courts

Evidently the purpose behind this ruling is to obviate any possibility of unjust conviction through confessions extorted by devices familiar to all police reporters and usually indicated by them under the euphemistic gerund "grilling." There is no doubt that the penchant of the police craft in general for these shortcuts to justice holds serious potential dangers to human liberty. In the past few decades we have seen an extension of the third-degree technique from the criminal to the political field, and some police organizations like the G. P. U. and the Gestapo have developed it into something like a science.

Nevertheless, the Haywood Wilborn case illustrates the absurdity of attempting to eliminate police abuses by the application of some judicial rule of thumb. In this case there was apparently no indication that the confession was obtained by threat or duress. Moreover, it begins to appear that the Supreme Court in attempting to curb one evil may have created another. Rape is a very serious crime. Incorrectly so rare in Washington that the police should be thus wantonly balked and discouraged in their efforts to suppress it. This, it seems, was not the first case of attempted rape in which this Haywood Wilborn has been involved. That he should be turned loose without even a trial because of a bare technicality is something to shock even Mr. Bumble.

37h-1943

Florida

7049

Birmingham, Ala., News
October 11. 1943

Negro's Review Refused

WASHINGTON — (AP) — Edgar Flowers, a Tampa Negro sentenced to die by electrocution for attack, failed Monday to obtain a Supreme Court review. Justices Murphy and Douglas favored granting the petition.

He was alleged to have attacked Mrs. Charles E. Oakes on Nov. 11, 1941, after entering her apartment.

Ask Rehearing In Rape Case

Tribune
Savannah, Ga.

Washington, D. C., Oct. 15— A petition for rehearing of the case of Edgar Flowers, convicted of rape in Florida, was filed this week in the United States Supreme Court. The petition stated that the alleged confession was procured under duress and the petition said, before Flowers had received the advice of friends or counsel.

The denial on October 11 of a writ of certiorari to review the judgment of the Florida Supreme Court was set forth as reason for granting a rehearing. The petition for rehearing further asserted that the denial of a writ of certiorari affects the administration of criminal law throughout the United States and particularly in the State of Florida.

When the writ of certiorari was denied U. S. Supreme Court Justice Murphy and Douglas expressed the opinion that it should have been granted.

The rehearing is further sought, the petition stated "in view of the fact that the Chief Justice and one Associate Justice of the Supreme Court of Florida dissented from affirming the conviction." In his dissenting opinion Mr. Justice Brown stated that the officers who arrested Flowers had violated the Florida statutes by failing to advise petitioner of the grounds of arrest. "The dissent of the Chief Justice and Mr. Justice Brown" states the petition "confirms the conviction of council and of many other interested persons that the petitioner in his trial for a capital crime was denied constitutional rights."

Not only did the state officers fail to inform him of the charge against him but one of them admitted that he lied to Flowers when he told Flowers that the state had his fingerprints taken from the scene of the alleged crime.

Flowers was taken at midnight from one county jail to another, the petition states, in order to instill in him a fear of lynching. The petitioner further charges that his wife who was ill and pregnant at the time was arrested only for the purpose of exploiting her misery and plight for the effect her arrest would naturally have on Flowers mind and sensibilities.

Flowers, now in Florida State Penitentiary, was arrested March 1942, and sentenced to death for the crime of rape upon a white woman allegedly committed November 1941.

Associated with Thurgood Marshall NAACP special counsel who is conducting the fight for Flowers' life are Bryan and Bryan, Tampa, Fla.; William H. Hastie, Washington, D. C.; Leon A. Ransom, Washington, D. C.; and Milton R. Konvitz, assistant special counsel, NAACP national office.

Hi Court Asked to Rehear Fla. Case

Afro-American
Baltimore, Md.

WASHINGTON — A petition for a rehearing filed in the U.S. Supreme Court last week by NAACP attorneys in the case of Edgar Flowers, convicted of criminally attacking a white woman in Florida and sentenced to death, charged that a confession used in evidence was obtained under duress.

Citing the denial on October 11 of a writ of certiorari to review the judgement of the Florida Supreme Court as basis for a rehearing, the petition quotes dissenting opinions of U.S. Supreme Court Justices Murphy and Douglass and the chief justice and one associate justice of the Florida court.

"The dissent of the chief justice and Mr. Justice Brown," states the petition, "confirms the conviction of counsel and of many other interested persons that the petitioner in his trial for a capital crime was denied constitutional rights."

FLA. RAPE CASE TO HIGH COURT

Defender Chicago, Ill

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Rehearing Denied In Fla. Rape Case

Defender Chicago, Ill

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Flowers, now in Florida State Penitentiary was convicted of the crime of rape upon a white woman. He was arrested in March, 1942.

Age-Herald
Birmingham, Ala

ATTACKER OF GIRL TO DIE

ATLANTA, May 11—(AP)—William B. Stroup, 40, textile worker and parolee convict, Tuesday was sentenced to die in the electric chair at Tattnall Prison June 25, after convicting on charges of attacking a 12-year-old Atlanta girl last month.

Daily World
Atlanta, Georgia

Death Sentence Meted Youth In State Rape Case

Defense Claims Defendant Was Beaten by Police

Seventeen-year-old Willie Hicks of Reynoldstown section Wednesday was sentenced to die in the electric chair at Tattnall Prison for rape.

Found guilty by a jury in Fulton Superior Court following a deliberation of approximiately an hour, Hicks was sentenced to death ten minutes later by Judge A. L. Etheridge, who set the execution date at April 30.

Hicks was accused of attacking a white woman in a wooded section on Wylie Street, S.W. on January 30 of this year. The state wove a web of circumstance around the bashful youth, contending that he met the victim and her soldier companion and forced them at pistol point to accompany him to the place of the crime, the soldier being forced to look upon the act.

The state introduced an alleged confession of the youth, who denied it in his unsworn statement to the court. Defense counsel led by Attorney H. A. Allen contended that the youth was beaten at City Police headquarters and signed the statement under duress.

A sister of the youth told the court that her brother, his girl friend and her boy friend were at an Auburn Avenue cafe at the time of the alleged attack. Her outburst of cries and tears filled the courtroom as she shouted, "He didn't do it! He didn't do it!" while Judge Etheridge pronounced sentence on Hicks. Deputies were forced to usher her to another room at this point.

Assistant Solicitor E. E. Andrews prosecuted the case, being assisted by Chief Assistant Solicitor Stevens, Chief Investigator George Pounds and a host of state, city and county employes. The trial lasted three days.

Constitution
Atlanta, Georgia

Woman's Attacker Dies, Remorseful

REIDSVILLE, Ga., June 10.—(AP)—Confessing his crime and expressing remorse, Mose Sims, 35, was executed today for the rape-murder of an Atlanta white woman.

Warden J. R. Duvall said the Negro, whom he had known a long time, confessed to him the crime which occurred in Atlanta in March, 1942.

Duvall said the woman was dragged from her automobile and attacked, dying later.

"Mose said he did the job alone, and he was sorry for it and that he wished everybody would stay here to see what was happening to him," the warden related.

Constitution
Atlanta, Georgia

Negro Is Indifferent As Death Date Is Set

MACON, Ga., June 25.—(AP)—Chewing gum and displaying no emotion, Sylvester Andrews, Macon Negro, today heard the death sentence passed upon him by Judge A. M. Anderson in Bibb superior court. The death date was set on July 9.

Andrews was convicted of rape last [illegible]. His conviction was recently affirmed by the Georgia supreme court.

Atlanta, Ga. Journal
October 10, 1943

Journal in Error Quoting Etheridge

The statement that "anything less than the death penalty would be a mockery," attributed to Judge A. L. Etheridge in a Supreme Court story in The Journal Thursday, should have been attributed to Assistant Solicitor General E. E. Andrews of the Fulton Superior Court.

The error arose from the Supreme Court quoting Judge Etheridge as saying: "I will strike the word mockery and tell the jury to put it out of their minds."

Defense attorneys sought a new trial for Willie Hicks, Atlanta Negro under a death sentence for assaulting a white woman, on the grounds that Judge Etheridge should have granted a mistrial after the statement by Mr. Andrews. The Supreme Court upheld Judge Etheridge and refused a new trial for the Negro.

Clemency For Condemned Man Being Considered

Daily World
Atlanta, Georgia

MACON, Ga.—(S N S)—The state parole board in Atlanta Thursday had under advisement an application for clemency for Sylvester Andrews, sentenced to death in Bibb County Superior Court for rape.

Governor Ellis Arnall granted a 30-day respite last month to give the board opportunity to consider the clemency plea.

Andrews was convicted here in July of 1942 for attack of a young Bibb County Negro girl and evidence brought out at the trial by testimony showed he had attacked several white women, all the alleged acts occurring in the same neighborhood, according to Solicitor Charles H. Garrett.

Constitution
Atlanta, Georgia

Stays Granted To Two Men

Governor Arnall's office has granted stays of execution to a white man and a Negro, and has transferred a lifer to the insane hospital.

On recommendation of the state pardon and parole board, the executive department yesterday granted 30-day stays to Thomas Emmett, white man of Hall county, scheduled to die November 24, and Sylvester Andrews, Macon Negro, slated to die November 10. The respites will give the two time for commutation hearings.

Emmett was given the death sentence for slaying Guy McConnell. He claimed he took a shotgun away from McConnell and hit him on the head with it in self-defense, and Emmett contended the blow did not cause death since McConnell lived for four months and was subject to heart attacks.

Andrews, indicted for criminally assaulting five white women in Macon, was given the death penalty for attacking a Negro woman and was never tried on the other indictments.

Robert Nelms, given a life sentence in Madison county for murder, became insane before being transferred to Atlanta, a sanity commission found. The recommendation of this commission, the Governor's office ordered that Nelms be sent to the Milledgeville State Hospital to stay until sanity returns—then he will be sent to the state prison.

Constitution
Atlanta, Georgia

Court Upholds Death Penalty

The court issued its decision yesterday, stating that the girl had testified to facts showing the textile worker's guilt; that Stroup voluntarily and freely confessed, and that the record showed other circumstances of his guilt.

Meanwhile Governor Arnall's office granted a 60-day stay of execution for Willie Hicks, Negro sentenced to die for attacking an Atlanta white woman. The respite was granted at the request of the state pardon and parole board to give Hicks an opportunity for a commutation hearing.

Action on another attack case was taken when the supreme court upheld the death sentence of Willie Hubbard, Negro, convicted of assaulting a white woman.

Death Sentence In Rape Trial

Daily World
Atlanta, Ga

Mother at Side Of Defendant

Marvin Lewis Lee, 21, of a Piedmont Road address, Tuesday was convicted on a charge of rape in Fulton Superior Court and sentenced to die in the state electric chair at Tattnall Prison on September 23.

An all-white jury deliberated but fifteen minutes to reach a decision which followed an all-day trial before Judge A. L. Etheridge.

According to testimony, Lee allegedly raped a 14-year-old white Buckhead girl early in July after burglarizing the home of her parents. A pistol and watch reportedly taken during the burglary, were introduced by the state as evidence condemning Lee. The watch was said to have been found at the home of a sister of the condemned man, while the pistol was recovered in a pawn shop. Lee's sister testified that he brought the watch to her home. In his unsworn statement to the jury, the defendant said he got the watch from "another boy."

Defense Counsel [illegible] and Guy Smith were unable to establish an alibi as to Lee's whereabouts at the time of the crime.

The mother of the condemned youth sat with him throughout the trial which saw spectators excused from the courtroom during the testimony of the victim.

Assistant Solicitor Quincy Arnold prosecuted the case for the state.

Chicago Bee
Chicago, Illinois

...N FACES CHARGES OF RAPING 14-YEAR-OLD

Edenton, N. C., March 18.—William Wicks, 19, Thursday faced charges of criminally assaulting his 14-year-old daughter. The presentation of damaging evidence was probable cause for the judge ordering the defendant bound over to the next term of Chowan Superior court without bond. MAR 21 1943

ADMITS ATTACKS ON 25 WOMEN IN 2 MONTH PERIOD

Chicago Tribune
Chicago, Illinois

Negro Captured in South Side Alley.

James Fortson, 28 years old, a Negro, confessed yesterday to attacks upon 25 women on the south side in the last two months, Maxwell street police reported. The prisoner, who is 6 feet 3 inches tall and weighs almost 200 pounds, told Capt. Louis Caparelli his victims were principally factory women and scrub women whom he would assault and rob, usually on Friday mornings when they were carrying their weekly earnings.

JUN 30 1943

James Fortson.

Identified by 10 Persons.

Fortson, apprehended because of his size, was identified by 10 of his victims before noon yesterday. Special showups were being arranged to bring in the other victims. He told police he had operated in the area south of Roosevelt road to 75th street and from Halsted to the city limits.

Fortson was captured late Friday night after a chase in which five shots had been fired at him before he ran into a blind alley and was cornered. Sergt. Anthony Trifone and Detectives Charles Lyons and Cornelius Lettiere, on the lookout for a man of Fortson's description which had been broadcast over police radio following an attempted rape in a neighboring district, first sighted him at Throop and 19th streets.

Caught in Blind Alley.

Fortson darted into an alley when the policemen approached him and almost succeeded in escaping. The policemen took up the pursuit, firing from the squad car. When he found himself trapped in the blind alley Fortson threw up his hands and surrendered.

Chicago Tribune
Chicago, Illinois

RAPIST PLEADS GUILTY; GETS LIFE SENTENCE

Mount Vernon, Ill., Aug. 3 (AP).—Half an hour after a special grand jury had indicted him on charges of rape and assault, Lewis Newcomb, 30 years old, a Mount Vernon Negro, today pleaded guilty before Circuit Judge W. Joe Hill and was sentenced to life imprisonment.

Authorities, who had refused to disclose the jail in which Newcomb was being held, ordered his immediate removal to the Southern Illinois penitentiary.

AUG 4 1943

Newcomb confessed he had beaten Laverne Wilkerson, 19, and raped Wilkerson's companion here July 25.

World-Telegram
New York, N. Y.

17 Women Beat Rape Suspect

By the United Press.

CHICAGO, June 21.—Police broke up a near riot at the Maxwell St. station yesterday when 17 women, called to identify James Fortson, [illegible], who claimed to have raped [illegible] in the last two months, suddenly attacked the suspect.

The police rescued Fortson from the screaming women who were pummeling him with their fists and kicking him on the shins. As officers started to lead him from the room the slightly-built husband of a war worker, who was [illegible] on the street, took a swing at him.

JUN 24 1943

The 17 women identified Fortson as the man who had tried to attack them.

Chicago Tribune
Chicago, Illinois

18 WOMEN SIGN RAPE COMPLAINT AGAINST NEGRO

Eighteen married Chicago women yesterday signed a rape complaint against James Fortson, 28 years old, a Negro, 44[illegible] East 46th street, at the Maxwell street police station. All identified Fortson as their attacker. Fortson aided the identification in half the instances by pointing out women he had assaulted after intimidating them with a knife. Fortson was captured Saturday after a chase in which police fired five shots at him. He admitted attacking 30 women on the south side in the last two months.

JUN 25 1943

DR. WYNEKOOP LOSES FIGHT TO LEAVE ASYLUM

PM
New York, N. Y.

Dr. Gilbert Wynekoop, once a noted surgeon, lost his long fight for release from a mental institution yesterday when Judge John C. Lewe of Superior court dismissed his petition for a writ of habeas corpus and ordered him returned immediately to the Illinois Security hospital at Menard.

At the same time Judge Lewe lashed at what he called an "epidemic" of court actions designed to free mental [illegible] dangerous patients from [illegible] care.

Brother of Woman Slayer.

Dr. Wynekoop, a brother-in-law of Dr. Alice Wynekoop, who is serving a 25 year sentence for the murder of her daughter-in-law, has been in and out of state mental hospitals since January, 1934. Last February he began his latest fight for freedom by petitioning the Criminal court for a writ. That petition was withdrawn in June and a new petition was filed in the Superior court. Dr. Wynekoop was transferred to the Chicago State hospital at that time pending a hearing.

The Superior court action was not immed[illegible] pressed and Dr. Wynekoop remained in Chicago State hospital. A few days ago Dr. Paul Hletko, assistant superintendent, protested his stay, saying Dr. Wynekoop's presence was demoralizing because of his advances to women patients, attendants, and others. He also warned that his stay at the Chicago hospital without further legal process might result in his being freed on technicalities.

Dismiss Habeas Corpus Plea.

Judge Lewe immediately called a hearing, and yesterday Dr. Wynekoop's lawyer, Hermann P. Haase, and Duane Reed, an assistant Illinois attorney general, appeared. The habeas corpus action was dismissed without protest from Haase, who indicated his belief Wynekoop should not be freed.

Dr. Wynekoop was committed in 1934 after an assault to rape charge, freed in 1937 and recommitted in 1937 on another [illegible]

NOV 8 1943

Judge Lewe commented that there has been an epidemic of habeas corpus actions in behalf of mental patients, and asserted the situation might become a dangerous condition if court action were delayed.

In this connection Judge Lewe also ordered a hearing Dec. 1 for a habeas corpus petition in behalf of Steve Karaba, committed three years ago for offenses against children. Haase is the lawyer.

37h-1943

Kansas

7052

Courier-Journal
Louisville, Ky.

Soldier-Rapist Dies On Gallows At Leavenworth

JUL 27 1943

Ft. Leavenworth, Kan., July 26 (AP)—Pvt. Levi Brandon, 23, Kansas City, Kan., Negro soldier convicted by a military court of raping a 17-year-old waitress last New Year's was executed on the gallows today at the military post. Only military officials, including an Army chaplain, witnessed the execution.

The death sentence was pronounced by the Ft. Leavenworth military court and proceedings subsequently were reviewed and approved by the War Department in Washington.

The waitress told officers she was dragged into an alley and raped New Year's morning as she was going to work.

Amsterdam Star-News
New York, N. Y.

Soldier Hanged For Rape Attack

War Department O. K.
Military Courts
Death Sentence

FORT LEAVENWORTH, KANS. —A 23-year-old youth named Levi Brandon of Kansas City, Kansas, was hanged on the gallows at the military post here Monday. He was convicted by a military court for raping a 17-year-old white waitress last New Year's morning. An Army chaplain designated by the Commanding General of the Seventh Service Command and Military official witnessed the execution.

According to the waitress she was dragged into an alley overpowered and raped while going to work on the morning of January 1, 1943. The death verdict was pronounced by a Ft. Leavenworth Military Court and the sentence was approved by the commanding of the Seventh Service Command and the U. S. War Department.

Bystander
Des Moines, Iowa

SOLDIER HANGED FOR RAPE

Omaha (ANP)—The seventh service command here announced last week that Pfc. Levi Brandon had been hanged at Ft. Leavenworth, Kans., following a court martial at which he was convicted of rape.

Brandon, whose home was in Kansas City, enlisted in the army in Nov. 1940. He was convicted on two charges of rape and assault with intent to rape.

The death sentence was imposed last February, revealed the announcement but was not carried out until reviewed by higher authority and confirmed by presidential order. Only official witnesses attended the hanging which occurred between 3 and 4 a. m. of the execution date.

Kentucky

7053

Man Here Sentenced To Die for Raping Girl

OCT 27 1943

Courier-Journal ——— Louisville, Ky.

The first man in Jefferson County to be sentenced to be electrocuted for rape is Mike Probus, 25, of 2219 Lyons, found guilty and sentenced to death yesterday by a jury in Criminal Court.

OCT 27 1943

Probus and two other youths, Ernest Lee Coffey, 19, of 2215 Lyons, and Russell Bell, 21, of 2217 S. Floyd, were charged with the rape last July 19 in Iroquois Park of a 12-year-old Highland Park girl and her 15-year-old Negro maid-companion. Coffey and Bell await trial.

The jury deliberated only eighteen minutes before returning the death sentence, the first such verdict in Jefferson County in more than three years, and the first death sentence in the county for rape in more than fifteen years, according to City Police and William Schwankhaus, assistant Commonwealth's attorney. Penalty for conviction in rape formerly was by hanging, but this was changed several years ago by the Legislature.

The prosecution charged that the three men forced the girl and her companion into an automobile and drove to Dogwood Road in Iroquois Park, where the assaults were committed.

Probus denied his guilt and declared the girls accompanied them willingly. None of the youths gave testimony July 23 in a preliminary Police Court hearing.

L. D. Greene, defense attorney, said last night he plans to enter a motion for a new trial.

37h-1943

Louisiana

7054

TO HANG?

Pvts. Lawrence Mitchell of Saginaw, Mich., top, Richard Phillip Adams of Columbus, Ohio, center, and John Walter Bordenave of New Orleans, La., were found guilty by a general court-martial at Camp Maxey, Texas, last week, in connection with alleged criminal assault on a 20-year-old white woman May 10, 1942, near Alexandria, La. The trio was sentenced to death by hanging and their date of execution is to be announced later, provided the verdict is not altered by higher appeal the defense lawyers are understood to be making to higher military authorities and President Roosevelt.

AUG 7 1943

Decision Declared Invalid

Courier Pittsburgh Pa.

CAMP MAXEY, Tex., July 29—Because a Federal court of the far South was considered out of jurisdiction by the United States Supreme court after sentencing three race soldiers to death on a charge of rape, these three men will have a chance to again fight for their lives at a trial by U. S. Army court martial July 28.

The soldiers, Richard Adams, Lawrence Mitchell and John Bordenave, accused of raping a white woman, were convicted July 30, of last year, and later sentenced to death in Federal court of Shreveport, La.

The families of the men sought aid from the NAACP, which immediately entered the fight to save the men. An appeal and petition for writs of habeas corpus were filed by the organization's lawyers, who insisted that the court which convicted the soldiers was without right to try them, because it had no authority over the lands on which the crime was allegedly committed. July 31,

After a hearing in the Supreme courts, decision was handed down in May that the courts which tried and convicted the men had no jurisdiction over them and as a result they were released by the Federal authorities. 1943

The state of Louisiana attempted to obtain jurisdiction over the soldiers to try them in the local state courts, but before this was accomplished the men were turned over to the United States Army, where they are now to be tried by court-martial.

Thurgood Marshall, special counsel for NAACP will defend the men along with Major James C. Ohler and Lieut. Harold Oppenheim, appointed by the Army.

LA. SOLDIERS GET DEATH

Courier Pittsburgh Pa.

NEW ORLEANS, La., Aug. 2—Pvts. Lawrence Mitchell, of Saginaw, Mich.; Richard Phillips Adams, Columbus, Ohio, and Walter John Bordenave, New Orleans, were found guilty of criminal assault by a general court-martial Saturday at Camp Maxey, Texas, and were sentenced to death by hanging.

The alleged criminal assault on a white woman was reported to have occurred May 10, 1942, in Camp Claiborne, La., but, through the NAACP, conviction of the trio by the Louisiana courts was overruled, whereupon the soldiers were tried by military authorities.

The date of execution will be announced if the verdict is upheld by a review of higher military authorities and President Roosevelt.

ARMY GETS 3 LA. SOLDIERS

Courier Pittsburgh Pa.

WASHINGTON, June 24—Assistant Secretary of War John J. McCloy, announced this week that Pvts. Bordenave, Mitchell and Adams, convicted in a Federal District court in Louisiana of rape and sentenced to death, but freed from the sentence after NAACP lawyers had appealed the case to the United States Supreme court would be taken into custody by the United States Army, which would be responsible for any further proceedings against them in accordance with Army regulations governing courts martial.

JUN 28 1943

MAY ESCAPE PUNISHMENT

The meaning of this action is that the three men will not be subject to trial in Louisiana by either a state or Federal court, where their conviction and resentence would have been almost certain.

The three soldiers were arrested last July and charged with raping a white female employee of the military camp where they were quartered on Federal Army reservation.

It seems likely now that further proceedings against the men, who have insisted upon their innocence, will not be taken.

New York Age
New York, N. Y.

Soldier Dies On Gallows

CAMP CLAIBORNE, La.—Convicted of rape, larceny and housebreaking, Pvt. Walter J. Bohn, 26, of Wilkes Barre, Pa., was hanged here last week after his death sentence was reviewed by the Eighth Service Command, Dallas, Tex., and approved by President Roosevelt.

AUG 14 1943

"RAPE" VICTIM PROSTITUTE

The men were convicted of rape of Hattie Rose Mason, a white woman in Camp Claibourne. The accused soldiers all testified that Rose Mason was a prostitute who had been paid two dollars in advance by them. Rose Mason testified that the three Negro soldiers raped her and that she did not give consent.

Major McGuffin of the U. S. Army Medical Corps testified that he examined the woman thirty hours after the attack and found that the woman had not made any resistance to the alleged attack, and that in addition his physical examination revealed that she suffered venereal diseases of long standing.

The three accused soldiers were examined by a reputable physician and no evidence of any venereal disease was found.

Testimony during the trial also revealed that neither Rose Mason nor her white "boyfriend," whom she subsequently married, made any complaint at anytime concerning the alleged rape. The attention of the case was not brought to the military authorities until it was reported to them by another white woman, Rose Mason's roommate.

AUG 14 1943

STATEMENTS CONTRADICTORY

The prosecution, headed by Major Gawoski of Dallas, Texas, introduced into evidence, over the objection of the defendants, five contradictory, signed confessions, as well as several alleged verbal confessions. The soldiers testified that these confessions were obtained in Alexandria, Louisiana, after beatings and after threats of mob violence made by civilian authorities of Alexandria.

AUG 14 1943

At the hearing, the soldiers were represented by Thurgood Marshall and two army men appointed by the Court, Major James C. Oehler and Lieutenant Harold Oppenheim.

Marshall stated that the findings of the Court will be reviewed by Major General Donovan of the Second Service Command in Dallas, Texas, by the Judge Advocate General of the United States Army, and by the Board of Review in Washington, and finally, if necessary, by President Roosevelt.

On Prostitute's Word:

Peoples Voice
New York, N. Y.

Three Soldiers Condemned To Hang by Court Martial

AUG 14 1943

CAMP MAXEY, Texas—Following a court martial here on July 28 Privates Richard Adams, John Bordenave and Lawrence Mitchell have been condemned to hang. This is the second time these soldiers have received the death sentence. They were first sentenced by the federal court at Shreveport, La., in August, 1942.

An appeal and petition for writs of habeas corpus were filed by NAACP lawyers who held that the court which convicted the soldiers was without the right to try them because it had no authority over the lands on which the crime was alleged to have been committed.

AUG 14 1943

RETURNED TO ARMY

The case went to the United States Supreme Court where on May 24 it was held that the federal courts did not have jurisdiction to try the defendants. The men were returned to the United States Army to be tried by court martial.

AUG 14 1943

Members of the military court, two colonels, a major, two captains and three lieutenants started their deliberation at 1 o'clock on July 30 and announced their verdict and sentence at 4:45 that afternoon.

AUG 14 1943

CAMP MAXEY, TEXAS—Following a court martial here on July 28 Privates Richard Adams, John Bordenave and Lawrence Mitchell have been condemned to hang. This is the second time these soldiers have received the death sentence. They were first sentenced by the federal court at Shreveport, La., in August, 1942. An appeal and petition for writs of habeas corpus were filed by NAACP lawyers who held that the court which convicted the soldiers was without the right to try them because it had no authority over the lands on which the crime was alleged to have been committed. The three soldiers were arrested last July and charged with raping a white female employee of the military camp where they were quartered on Federal Army reservation. It seems likely now that further proceedings against the men, who have insisted upon their innocence, will not be taken.

Woman A Prostitute

COURT MARTIAL CONDEMNS THREE SOLDIERS TO HANG FOR RAPING WHITE WOMAN

Soldiers Receive Second Sentence To Be Reviewed

New York Age
New York, N. Y.

AUG 14 1943

Marshall said that he will continue to represent the men and that he feels confident that because of the errors in the record and the inconsistency of the testimony, the case will either be reversed or the sentence changed.

Formal application has already been made to file briefs and to appear before the Judge Advocate General in Washington when the

writs of habeas corpus were filed by NAACP lawyers who held that the court which convicted the soldiers was without the right to try them because it had no authority over the lands on which the crime was alleged to have been committed.

The case went to the United States Supreme Court where on May 24 it was held that the federal courts did not have jurisdiction to try the defendants. The men were returned to the United States Army to be tried by court martial.

Members of the military court, two colonels, a major two captains and three lieutenants started their deliberation at 11 O'clock on July 30 and announced their verdict and sentence at 4:45 that afternoon.

"Rape Victim a Prostitute"

The men were convicted of rape of Hattie Rose Mason, a white woman in Camp Claiborne. The accused soldiers all testified that Rose Mason was a prostitute who had been paid two dollars in advance by them. Rose Mason testified that the three Negro soldiers raped her and that she did not give consent. Major McGuffin of the U.S. Army Medical Corps testified that he examined the woman thirty hours after the attack and found that the woman had not made any resistance to the alleged attack, and that in addition his physical examination revealed that she suffered venereal diseases of long standing. The three accused soldiers were examined by a reputable physician and no evidence of any venereal disease was found.

Testimony during the trial also revealed that neither Rose Mason nor her white "boyfriend", whom she subsequently married, made any complaint at anytime concerning the alleged rape. The attention of the military authorities was not brought to the military authorities until it was reported to them by another white woman, Rose Mason's roommate.

The prosecution, headed by Major Gawoski of Dallas, Texas, introduced into evidence, over the objection of the defendants, five contradictory, signed confessions, as well as several alleged verbal confessions. The soldiers testified that these confessions were obtained in Alexandria, Louisiana, after beating and after threats of mob violence made by civilian authorities of Alexandria.

At the hearing, the soldiers were represented by Thurgood Marshall and two army men appointed by the court, Major James C. Oehler, and Lieutenant Harold Oppenheim.

The Marshall stated that the finding of the Court will be reviewed by Major General Donovan of the Second Service Command in Dallas, Texas, by the Judge Advocate General of the United States Army, and by the Board of Review in Washington, and finally, if necessary, by President Roosevelt.

Marshall said that he will continue to represent the men and that he feels confident that because of the errors in the record and the inconsistency of the testimony, the case will either be reversed or the sentence changed.

Formal application has already been made to file briefs and to appear before the Judge Advocate General in Washington when the case comes up for review.

Tribune
Savannah, Ga.

Reviews Death Sentence To Soldier

Washington, D. C.—The fight to save the lives of the three Negro soldiers sentenced to die for the crime of rape was carried this week by the NAACP to the Board of Review of the Office of the Judge of Advocate General of the U. S. Army. The soldiers, Pvt. Lawrence Mitchell of Baldwin, Mich., Pvt John Walter Bordenave of New Orleans, La. and Pvt. Richard P. Adams of Columbus, Ohio were convicted of rape on Hattie Rose Mason at Camp Claiborne, La. in 1942. The N. A. A. C. P. appealed the case to the United States Supreme Court where it was declared that the federal courts did not have jurisdiction over the case. The soldiers were then prosecuted by a general court martial at Camp Maxey Texas where they were defended by Thurgood Marshall, NAACP special counsel and military counsel. However, they were convicted and on July 30, 1943 all three were again sentenced to death.

At the time of the appearance of Thurgood Marshall and William H. Hastie, of the NAACP Legal Committee before the Board of Review no decision was reached.

Argument in defense of the soldiers was that the evidence in the case does not sustain a conviction of the crime of rape, nor does it in anyway justify the death penalty of all three men. It was also pointed out that the court martial had committed reversible error in admitting certain alleged confessions of the men and in permitting the Trial Judge Advocate to bring out certain inadvisable evidence by means of leading questions. Thurgood Marshall stated this week that if the Board of Review approves the conviction and sentence the ultimate decision will be up to President Roosevelt, who is already receiving many letters from people throughout the country urging him to either release the men, have the case sent back for a new trial, or commute the sentences.

La. Soldier Freed On Rape Charge

Chicago, Ill.
Defender

ALEXANDRIA, La.—(ANP)—The NAACP has once more interceded in the case of a Negro who was falsely accused, jailed, and charged with attempting to rape a white woman.

An interchange of letters between the national chapter and the Alexandria local branch completely freed Pvt. Eddie Anthoney, a Camp Livingston soldier, charged with attempting to rape a white woman in a railroad station at Simms, La., near Camp Livingston, April 2.

Anthoney, a suspect in the case, was confined in the Alexandria jail after May 2. During this stay he wrote a letter to the national office of the NAACP. The Alexandria branch was advised to take action in the case.

The organization's legal committee got busy and succeeded, after a few weeks, in having the prisoner removed to the military prison at Camp Livingston where the case was further investigated.

The local branch of the NAACP employed an Alexandria attorney to assist in the soldier's defense. At the trial, a jury returned a verdict of "not guilty," and Anthoney was placed back in his company.

Ask Roosevelt To Spare 3 Condemned Soldiers

Chicago Defender
Chicago, Illinois

NEW ORLEANS, La.—President Roosevelt's intervention was sought this week in an effort to set aside the death sentences imposed on three soldiers at Camp Maxey, by an army court-martial on a charge of raping a white woman.

The request was couched in a letter written by Reid Robinson, president of the International Union of Mine, Mill and Smelter Workers, was part of a wave of telegrams and letters protesting Louisiana's reproduction of the infamous Scottsboro case.

Principals in the case are Pvt. Lawrence Mitchell, 21, Saginaw, Mich., who allegedly performed the act; Pvt. Richard Phillips Adams, 26, Columbus, Ohio; and Pvt. Walter John Bordenave, 30, New Orleans. Pvts. Adams and Bordenave were accused as accessories before the fact.

Robinson's letter to the President said, in part:

"I am not acquainted with the facts in this situation, but I believe they bear investigation. It is my deep feeling that to hang these three Negro soldiers will add to the tension of the race question in the country today."

The court-martial conviction and sentence was the second time the trio had been condemned to die by hanging.

They were first sentenced by the federal court at Shreveport, La., in August, 1942. An appeal and petition for writs of habeas corpus were filed by N.A.A.C.P. lawyers who held that the court which convicted the soldiers was without the right to try them because it had no authority over the lands on which the crime was alleged to have been committed.

The case went to the United States Supreme Court where on May 24 it was held that the federal courts did not have jurisdiction to try the defendants. The men were returned to the United States Army to be tried by court martial.

The men were convicted of rape of Hattie Rose Mason, a white woman in Camp Claiborne. The accused soldiers all testified that Rose Mason was a prostitute who had been paid two dollars in advance by them. Rose Mason testified that the three Negro soldiers raped her and that she did not give consent.

Major McGuffin of the U.S. Army Medical Corps testified that he examined the woman 30 hours after the attack and found that the woman had not made any resistance to the alleged attack, and that in addition his physical examination revealed that she suffered venereal diseases of long standing. The three accused soldiers were examined by a reputable physician and no evidence of any venereal disease was was found.

"Victim" Not Complainant

Testimony during the trial also revealed that neither Rose Mason nor her white "boy friend," whom she subsequently married, made any complaint at anytime concerning the alleged rape. The attention of the military authorities was not brought to the military authorities until it was reported to them by another white woman, Rose Mason's roommate.

The prosecution, headed by Major Gawoski of Dallas, Texas, introduced into evidence, over the objection of the defendants, five contradictory, signed confessions, as well as several alleged verbal confessions. The soldiers testified that these confessions were obtained in Alexandria, La., after beatings and threats of mob violence made by civilian authorities of Alexandria.

At the hearing, the soldiers were represented by Thurgood Marshall and two army men appointed by the court, Major James C. Oehler, and Lieutenant Harold Oppenheim.

Marshall stated that the findings of the court will be reviewed by Major General Donovan of the Second Service Command in Dallas, Texas, by the Judge Advocate General of the United States Army, and by the Board of Review in Washington, and finally, if necessary, by President Roosevelt.

Try to Halt Rape Execution

Daily Worker, N.Y.

NEW ORLEANS, Jan. 24.—Petition for a writ of habeas corpus for the three Negro soldiers convicted of "raping" a white woman and sentenced to death were filed this week in the U. S. District Court here by Thurgood Marshall, NAACP special counsel.

"Granting of the writ," said Marshall, "means that the federal court did not have jurisdiction to try the soldiers."

Marshall stated that there is every indication that the three soldiers, [illegible] Bordenave, Richard P. Adams, and Lawrence Mitchell, are innocent and declared that, "although the NAACP did not get into the case until after the trial, we will stay in it until the men are released or proved guilty."

Bordenave, Adams, and Mitchell were rushed to trial on July 27, 1942, despite the fact that the mother of Bordenave tried to get a continuance until she could raise money for an attorney. The court appointed lawyers and the soldiers were convicted.

37h-1943

LOUISIANA

7055

Soldier Hanged In Louisiana For Rape, Larceny

AUG 7 1943

Courier-Journal

Louisville, Ky.

Camp Claiborne, La., Aug. 6 (AP)—Private Walter [illegible] Bohn, 26, died by hanging here this morning in the first military execution held in Louisiana since Union troops occupied New Orleans in 1862.

Bohn was convicted at a court-martial trial on charges of rape, housebreaking and larceny. The sentence and record were approved by President Roosevelt.

Military authorities said Bohn attacked and raped a young Alexandria housewife after gaining admission to her home by asking for a drink of water. The evidence further showed Bohn shortly afterward forced his way into the parked automobile of another woman and snatched her purse containing $46.

Post
Washington, D. C.

7056

Poolesville Man Gets 20 Years for Rape

Ellicott City, Md., Aug. 12 (AP).—Archie L. Pearson, 51-year-old Poolesville, Md., resident, was found guilty of attempted rape early today by a Howard County Circuit Court jury which sentenced him to 20 years in the Maryland Penitentiary by Judge James Clark.

The jury's verdict, returned after an hour and 5 minutes of deliberation, was a modification of a Montgomery County Circuit Court verdict of guilty on a charge of twice raping the wife of a Poolesville farmer. Pearson was sentenced to hang but was granted a retrial by the Court of Appeals. The trial was moved to Howard County at his request.

Associate Judge Clark of the Fifth Judicial Circuit pronounced sentence after hearing Montgomery County State's Attorney Joseph Simpson, jr., testify that Pearson's police record showed 11 charges of crimes and misdemeanors.

A mercy plea was made by Harold C. Smith of Rockville, Pearson's attorney, on the grounds that the defendant had spent several months in the Penitentiary death cell and had fought in 11 battles in the First World War.

Judge James E. Boylan of Westminster, presided at the retrial with Judge Clark.

2 Soldiers Face Rape Charges In Maryland Court

Defender
Chicago, Ill.

ELKTON, Md. (AP).—Two Negro soldiers, both assigned to Aberdeen Proving ground, were held without bail for the action of Cecil County grand jury when they were arraigned last week on charges of criminally assaulting two white women employes of Triumph Explosives company here.

The accused, Pvt. Ralph Mackey, of Yatesville, N. C., and Cpl. Richard Branch, of New York city, were given a hearing under heavy police guard by Magistrate James Weinroth.

The women, Misses Louise Sheffey and Marguerite Waters, failed to identify the soldiers as their assailants during the brief hearing.

They admitted having intimate relations with two dark soldiers after having been picked up by them in the latter's automobile, but at no time did they say they had been attacked.

One of the soldiers allegedly made an unsigned confession that he had relations with one of the girls, but State's Atty. Henry L. Constable testified that he later repudiated it.

The soldiers are represented by Atty. W. A. C. Hughes, Jr., of Baltimore.

Relatives Reserved at Last Rites for 6th Noose Victim

Baltimore, Maryland
Afro-American

BALTIMORE — With relatives showing almost the same restraint which marked his death on the gallows, last rites for John Lampkins, victim of Maryland's sixth hanging of the year, were held Monday [illegible] Funeral Home.

Although his mother, Mrs. Mattie Robinson, and an aunt, Mrs. Anna Dempsey of New York, who reared Lampkins, sobbed constantly throughout the brief services, neither gave any indication of collapsing.

The services were conducted by the Rev. E. T. Jordan, pastor of Ebenezer Baptist Church. They body was interred in Mt. Calvary Cemetery.

About 200 persons overflowed the chapel of the undertaking establishment while more than 500 others lined the sidewalks to have a last glimpse at the bier.

Lampkins was hanged Friday morning at the Maryland Penitentiary for the alleged criminal attack on a 50-year-old white woman—a crime he denied to the very end.

Other survivors include a sister, Mrs. Ethel Wilson, and three brothers, Joseph, James and Edward Lampkins, all of this city.

7057

Courier
Pittsburgh, Pa.

Miss. Soldier To Die In Chair

SEP 18 1943

LIBERTY, Miss., Sept. 16—Joseph Williams, a soldier of Gloster, was sentenced to be electrocuted in the state's portable electric chair here October 1, following his conviction in Amite County Circuit Court of criminal assault on a 16-year-old Gloster white girl.

Williams was arrested the morning after the alleged attack and carried to Hinds county jail at Jackson, where he was held on suspicion. Following the trial, the jury was out only nine minutes before returning a verdict of guilty as charged.

Testimony introduced by the prosecution pictured Williams as a deserter who was serving an Army 20-year sentence. He was released by the Army to Amite county for trial here before Judge R. E. Bennett in the Sixth Circuit Court.

News
Birmingham, Ala.

Execution Date Is Set For Mississippi Negro

PASCAGOULA, Miss., Sept. 14 (AP) — Johnny Richardson, Pascagoula Negro, faces death in the electric chair following his conviction Tuesday on charges of criminal attack.

Circuit Judge L. C. Corban passed sentence and set Dec. 31 as the execution date. A detachment of Mississippi highway safety patrol officers, headed by Col. J. R. Ginay, commissioner of public safety, guarded the Negro during the one-day trial.

The state charged the Negro with criminally attacking a white woman in a house-store on the outskirts of Pascagoula.

7057

37h-1943

Missouri

7058

Given Four Years in Attack Case

Kansas City Call

Kansas City, Mo.

JUN 1 1943

S. Alfred Alexander, 62, 716 Gleed Terrace, was sentenced by Judge Albert Ridge to serve four years in the state prison on Wednesday after a jury deliberating for an hour and 10 minutes found him guilty of criminally misusing a 14-year-old white girl.

Alexander, who charged that he suffered cruel, merciful beatings at the hands of police, was convicted on his own statement on a police recording.

Serving on the jury of 12 was George W. Carroll, 900 Highland, former Pratt & Whitney worker who is unemployed.

The trial which continued for two days unravelled a sordid tale wherein the mother of the child, Mrs. Viola Weeks, admitted prostituting her 14-year-old daughter. According to testimony given by Alexander, who was placed on the stand by his attorney, Louis A. Reale, on Tuesday, he had known the Weeks family for more than 10 years. He stated that he had cared for the child during infancy. Time and time again he denied his innocence in attacking the girl. Alexander revealed that he had lived practically as a member of the Weeks family for a year and a half at the request of the father, John Weeks.

At the time of his arrest, on April 20, however, Alexander was living at 716 Gleed Terrace as houseman for Mrs. Carroll Aines, who testified in his behalf as a character witness. Alexander was charged with criminally attacking the girl on Feb. 20, at her home, 719 W. 16th St.

Alexander was accused of the crime by the child's mother, Mrs. Mary Viola Weeks, who is now serving a 6 months sentence in the county jail for contributing to the delinquency of her daughter. Testimony showed that Alexander was arrested after Mr. and Mrs. Weeks had been arrested for disorderly conduct.

Defense attorney Louis A. Reale attempted to show that the testimony of the mother and the child were groundless because of their mental condition. Records at the [illegible] county parental home show that the girl has an I. Q. of 45, according to testimony presented in court. (Seventy is normal).

Asked by Prosecutor Hodges why he moved from the Week's residence, Alexander replied:

"Well, if you want to know the truth sir, it was because of the way her mother was acting. She was bringing drunks in for the girl. I knew that if I remained in the home that something would be blamed on me, so I left."

Besides Mrs. Aines, character witnesses for Alexander were: Mr. and Mrs. Frank H. Servatius, 3650 Charlotte and Mrs. Mary Jones. The three testified that Alexander had worked for them for 19 or 20 years and he had always acted a gentleman before them.

Louis A. Reale, defense attorney, told The Call he would not appeal the case but would file for a parole. Alexander is not married.

JUN 1 1943

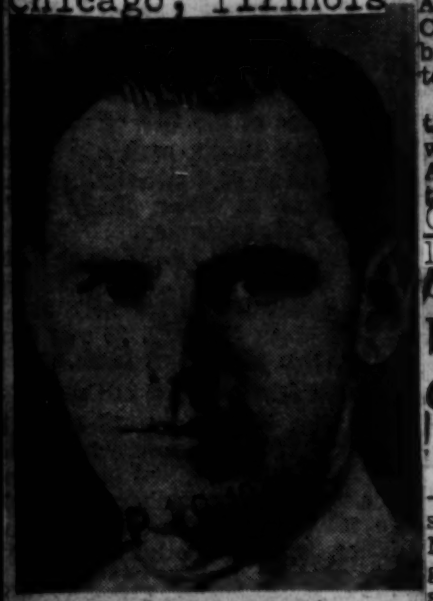
JUN 1 1943

Nebraska

7059

Sentenced to Die

Chicago Tribune
Chicago, Illinois



[Associated Press Wirephoto.]

JOSEPH MacAVOY.

Clay Center, Neb., Sept. 18 (AP).—District Judge Edmund Nuss today sentenced Joseph MacAvoy, 24 years old, of Brooklyn, N. Y., to die in the electric chair Dec. 30 for the rape slaying of Anna Milroy, 16, a farm girl.

A district court jury found him guilty of murder in the first degree and recommended the death penalty.

SOLDIER TO BE EXECUTED

New York Times

Brooklyn Man Is Guilty of Slaying Farm Girl in Nevada

New York, N. Y.

CLAY CENTER, Neb., Sept. 18 (AP)—District Judge Edmund Nuss today sentenced Joseph MacAvoy, 24, Brooklyn, soldier, to die in the electric chair on Dec. 30 for the rape-slaying of 16-year-old Anna Milroy, Sutton farm girl, Aug. 9.

A district court jury returned a verdict of guilty of murder in the first degree on Wednesday and recommended the death penalty.

Asked if he had anything to say before sentence was passed, replied, "I did not kill the girl." The judge told him the statement was contrary to statements MacAvoy made on the witness stand admitting the slaying, and then pronounced sentence.

MacAvoy's attorneys indicated they would appeal the case to the State Supreme Court.

MacAvoy was stationed at an air base near here at the time of the slaying.

Electric Chair Cheats Death

World-Telegram
New York, N. Y.

By the Associated Press.

LINCOLN, Neb., Dec. 11.—Because the Nebraska penitentiary's prisoner-made electric chair needs new parts, the scheduled execution Dec. 30 of Pvt. Joseph MacAvoy of Brooklyn, may be delayed, Chairman Ralph Cox of the Nebraska State Board of Control said today.

MacAvoy, formerly stationed at the Harvard (Neb.) army air base, was convicted of the rape-murder Aug. 7 of Anna Milroy, 16, Sutton (Neb.) high school girl.

Courier-Journal
Louisville, Ky.

Soldier Collapses When Convicted Of Rape Slaying

Clay Center, Neb., Sept. 15 (AP)—A district court jury found Joseph MacAvoy, 24, Brooklyn, N. Y., soldier, guilty of first-degree murder today in the rape-slaying of 16-year-old Anna Milroy, Sutton farm girl, and recommended a death sentence. The jury deliberated an hour and forty minutes.

MacAvoy, who had pleaded innocent by reason of insanity, collapsed when the verdict was read. The nude, battered body of Miss Milroy, a high school student, was found near Sutton last August 9. MacAvoy, who was stationed at the near-by Harvard Army air base, was arrested the following night.

MacAvoy admitted taking the girl for a car ride into the country. He denied the rape accusation, but admitted striking the girl after an argument.

PM
New York, N. Y.

Soldier Gets Chair

A jury deliberated three hours at Clay Center, Neb., then found Pvt. Joseph MacAvoy, 24, guilty of the rape murder of Anna Milroy, 16, Sutton high school girl, who was killed with a car crank and thrown into a field. MacAvoy swayed when he heard the verdict, which makes death in the electric chair mandatory, then stumbled to a chair, bursting into tears. His mother, Mrs. Harry Meers, who journeyed from Brooklyn to aid his insanity plea, was not in court.

37h-1943
New Masses
New York, N. Y.

Another Scottsboro?

Two privates in the American army service in New Caledonia have been sentenced to life imprisonment after being convicted of "rape." Privates Frank Fisher, Jr. and Edward R. Lowry are both Negroes. Congressman Vito Marcantonio, who has examined the records in the case, is convinced that the conviction was a frame-up in which evidence was suppressed and third-degree methods were used. Through Marcantonio's intervention as president of the International Labor Defense the office of the Adjutant General in Washington will undertake a special inquiry into the conviction.

According to information released by the ILD, records of the case show that the "rape" was in fact a transaction with a prostitute who received money from the two men as well as from a third unidentified soldier. The officer in charge of the original investigation recommended that the charges be dropped. But through the interference of apparently prejudiced white officers a general court martial was ordered, followed by the life imprisonment sentence. Further developments in the case deserve close watching by all those interested in elementary justice and Negro rights.

Afro-American
Baltimore, Md.

Army to Probe Attack Sentences

NEW YORK—A special inquiry into the case of Pvts. Frank Fisher, Jr., [illegible] Lowry, who were convicted of rape in New Caledonia and sentenced to life imprisonment, will be conducted by the office of the adjutant general in Washington.

Congressman Vito Marcantonio, president of the International Labor Defense, who intervened with the War Department in the men's behalf on the ground that the conviction was a frame-up, will present the defense case.

He said that records of the case showed that the "rape" was in fact a transaction with a prostitute, who received money from the two men and from a third unidentified soldier.

Daily World
Atlanta, Georgia

Probe Of Rape

Conviction In Pacific Begun

Under Sec'y Of War Patterson In Investigation

WASHINGTON — (SNS) — Robert P. Patterson, Under Secretary of War, has requested a "full report" on the conviction and life imprisonment of Privates Edward R. Lowry and Frank Fisher, Jr., on a charge of raping Louise Mounien, a New Caledonia woman.

Lowry and Fisher, who were attached to the 211th Port Battalion stationed in New Caledonia were found guilty by a general courts-martial of violating the 92nd Article of War, dishonorably discharged from the service, and ordered to be confined at hard labor for life. They are now in the United States penitentiary at McNeil Island, Washington.

In the letter to Judge Patterson, Leslie Perry of the NAACP Washington Bureau states that Miss Mounien was in a parked jeep on the night of May 2, 1943, in company with Lieutenant Robert L. Engel. The record is said to show that Lowry, Fisher and another enlisted man approached the couple and made a "proposition" to Miss Mounien and that thereafter she had relations with them and accepted money.

The letter also states that not only did the alleged victim raise no objection to the "proposition" but made no outcry at the moment or later. Moreover, it is asserted, after the alleged rape took place all parties concerned engaged in friendly conversation. The NAACP letter says:

"These reasons and others inherent in the records, make it evident that this was not a case of rape and therefore life imprisonment should not be the penalty. We strongly urge a re-examination of the case in order to avert a serious miscarriage of justice."

LIFE SENTENCE IN RAPE PROBED

Defender Chicago, Ill.

New Caledonia

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7060

37h-1943

World-Telegram
New York, N. Y.

50-Year Sentence Given Negro Rapist

MAR 1943

The heaviest punishment which the law allows was inflicted today by Judge Jonah J. Goldstein on a Negro youth who invaded a young woman's apartment and raped her five times within three hours.

William Gardner, 2[illegible] of 116 W. 124th St. got 15 to 30 years on a charge of robbery—the maximum sentence—and 10 to 20 years for rape—the maximum sentence. The sentences are to be served concurrently.

Judge Goldstein said in General Sessions that Gardner belonged "in the jungle" and was a menace to any civilized community. He climbed the fire escape of an apartment house in Tudor City and broke into a young woman's apartment.

Gardner pleaded guilty to both charges after a jury had been chosen to try him.

Chicago Tribune
Chicago, Illinois

RAPE SLAYER, 13, SENT TO PRISON ON GUILTY PLEA

DEC 7 1943

Poughkeepsie, N. Y., Dec. 6 (AP).—Edwin Codarre, 13, cold, who pleaded guilty of second degree murder in the rape-slaying of Elizabeth Voight, 10, was sentenced today to 30 years to life at Sing Sing prison.

"I feel I must protect you and society from another such vicious attack," Judge J. G. Flannery said in imposing sentence. "You will have to pay for what you have done."

Codarre, who laughed and joked with reporters before being sentenced, said: "Wherever I go I want to try to make up to society and do what I can for other boys."

"Could Have Been Me"

Striking at the fact that the arresting officer had doubted the guilt of Smith, Jackson told the jury during summation:

"If there was doubt at that time there still is doubt. They gave Norman Smith the third degree. They persecuted him. Yet, he had the stamina to hold up and tell the truth. It is a frameup."

The attorney charged that a continual newspaper smear campaign against Harlem had caused Smith's arrest.

"The newspapers put presssure on Police Commissioner Valentine and Valentine put pressure on the police to arrest somebody," he added. "They were out to get a colored man. They would have arrested me if I had been there instead of him."

Sala Condemns Bias

At the same time that the trial of Smith was going on, still another local jurist took a definite stand on the race issue. Dealing a slap to the New York dailies, which have been accused of fomenting race feeling by emphasizing the Negro angle, Magistrate J. Roland Sala of Bay Ridge court, made the following statement in his court, Monday:

MAY 1 - 1943

"Where the race, color or creed of a defendant has nothing at all to do with the crime charged, and the glare of publicity is focussed or concentrated on the race or the color or the creed of that defendant, then it becomes nothing more nor less than a sinister, insidious, unforgivable method of creating racial prejudice, bigotry and bias."

He said he would bar from his courtroom any reporter who, in the future, is responsible for arbitrary tagging of defendants with racial labels.

In this same connection, and as a result of the fire against daily papers which have been identifying defendants by race, the Post, PM, World-Telegram and the Worker dropped all racial references during the past week.

New York

By United Press

POUGHKEEPSIE, N. Y., Nov. 23.—Edwin Codarre, 13-year-old confessed slayer of Elizabeth Voight, 10, has pleaded guilty to second degree murder, saying: "I had to get something—it's okay by me."

The plea was entered by Alexander Dow, defense counsel, who said that he had first believed the boy was suffering from a mental disorder, but had since agreed with psychiatrists that he was "potential menace to society."

Although the boy faces a maximum sentence of life imprisonment, District Attorney John R. Schwartz indicated that he would be sent to a correctional school and said that "if he shows some improvement then he may later be returned to society."

Judge J. Gordon Flannery called Edwin and his mother before the bench and asked Mrs. Bishop whether she accepted the plea.

"I accept," she said. "That saves him from the electric chair. But I'm convinced he needs medical attention."

"I'm glad this happened," the judge said. "I don't think anyone wanted first degree conviction. It would be no pleasure to send a boy so young to the electric chair. Thank God it isn't on my shoulders."

The jury nodded agreement.

record shows that is so—that throws another light on the picture."

The boy's face flushed as Flannery discussed his record, which shows two previous attempts at rape and a Children's Court record of truancy.

"It may be that permitting you to return to society at an early date would be a detriment to you, as well as society," Flannery said. "Following your own experts, as well as the District Attorney's experts, I feel that it is my duty to not only protect you from yourself, but to protect society so that there will never be another happening of this type."

Edwin's defense was to have been insanity, based on records of mental illness in his family, and on the recommendation of Children's Court psychiatrists, two years ago, that he be committed to the Rockland State Hospital.

Earlier, the court heard Alexander Dow, defense attorney, ask for the minimum sentence of 20 years. This would have left the possibility that, with time off for good behavior, the boy would be freed in 13 years.

Dow's request was countered by District Attorney John R. Schwartz, who stressed the fact that psychiatrists have called the boy a "potenial repeater." Schwartz asked that the boy be given a term long enough to insure that any "repetition" did not occur. Under the 30-year term, Edwin can be freed after 20 years.

A sentence to Sing Sing is mandatory under the law, but the Correction Dept. will decide whether the boy will be kept in a juvenile institution until he reaches 18.

Convict Youth In Rape Trial: 'Smear' Scored

MAY 1 - 1943

Chicago Defender
Chicago, Illinois

NEW YORK — Norman Smith, talented 17-year-old music student, was convicted here last week, on charges of attempted rape and second degree assault, in connection with an attack on Gladys Kaurin, white night club singer, on March 17.

The trial, coming as it did in the midst of the battle against this city's "hate-the-Negro" campaign, attracted widespread attention, especially in view of the numerous controversial situations that arose. Among these were the action of the complaining witness in hurling an epithet at the defendant, charges that the police "framed" the youth, assertions by defense counsel that an anti-Negro atmosphere was permitted and intimation that the court disregarded ethics in the conduct of the case.

Miss Kaurin, described by the dailies as a "Southern belle," created a minor sensation when she screamed from the witness chair:

"That's the dirty, filthy beast who attacked me. If I'd had a gun I would have killed him!"

MAY 1 - 1943

Blames Hatred Campaign

The charge of Smith's lawyer, Atty. Harrison Jackson, that police, motivated by the daily newspaper "hate-the-Negro" campaign, had snatched his client as "the first black man they came across."

The admission of the arresting officer, Patrolman Rossiter, that he had found Smith more than a block away from the scene of the crime and that he himself had doubted the guilt of the defendant.

The charge of Smith himself that he had been framed by detectives through the use of lipstick marks to "sew up" the case.

The action of presiding Judge John Freschi in permitting a prosecution witness to "bait" the defense attorney.

The outburst on the part of the night club singer came on Friday, opening day of the trial. Defense Attorney Jackson responded by asking her if she had ever "studied dramatics" and whether or not she was sure her rage hadn't been caused by a desire "to obtain publicity." The night club singer retaliated by angrily calling the attorney "a

MAY 1 - 1943

Birmingham Post
Birmingham, Alabama

SLAYER OF GIRL PLEADS GUILTY

NOV 24 1943

Boy Of 13 Escapes Chair By Second Degree Murder Plea

Codarre Boy Gets 30 Years

PM
New York, N. Y.

A 13-year-old New York school boy yesterday heard himself sentenced in Dutchess County Court to at least 30 years in Sing Sing.

He is Eddie Codarre, the sixth-grade student whose plea of guilty to second-degree murder two weeks ago ended his trial on charges of raping and strangling 10-year-old Elizabeth Voight, daughter of an East Fishkill farmer.

Judge J. Gordon Flannery explained that he had based the sentence mainly on the findings presented by the psychiatrists, both for the defense and for the State.

"The majority of the opinion, including one of your own doctors," Flannery told the boy, "definitely said that you were sane—that you knew the nature and quality of your act, and that it was wrong. The other one agreed that you might be a potential repeater.

"It's unfortunate, but I must be guided by expert testimony, and I have given great weight to the testimony of these psychiatrists. If you are a potential repeater—if your

DEC 7 1943

7061

"Her face was all purple and covered her with weeds. bloodshot," he said. "I returned to the Kiwanis her eyes her throat too." He Boys' Camp for underprivileged kneeled on her but he was afraid when she started to run she would tell her raped the girl "when I New York City children where he was a guest. Edwin said he did. father what he had asked her. "I didn't eat hardly anything Mr. Russell then told him if for dinner," his statement said. Russell that he met Elizabeth "It was on my mind in a way." He tripped her, the statement and a half before the mur- said, and she started to yell, "let der. On Aug. 19 he called at me go," but she fell on her back home and found Elizabeth alone and he got a stone and hit her. Edwin's statement said he made with it, after holding her by the a request of the girl and "she throat for 10 minutes.

World-Telegram
New York, N. Y.

Murder Jury Hears Boy's Confession

DEC 7 1943

By MARY PINCHOT,
United Press Staff Correspondent.

POUGHKEEPSIE, N. Y., Nov. 22.—Edwin Codarre, 13, hid his face today as the statement he gave the District Attorney the day authorities found the body of 10-year-old Elizabeth Voight was read to the jury that will decide if he is guilty of murder and thus eligible for death in the electric chair.

NOV 22 1943

Admission of the evidence over the

Codarre Trial Ends With His Plea Of Guilty to Second-Degree Murder

PM
New York, N. Y.
NOV 24 1943

Judge Expresses Relief as Boy Escapes Threat of Chair

By Sally Winograd

A plea of guilty to murder in the second degree, entered and accepted in the case of 13-year-old Edwin Codarre yesterday, closed the trial of what was probably the youngest defendant in the State of New York ever to be held on charges which might have led to his death in the electric chair.

Sober-faced and quiet, the pudgy East Side boy, who originally had pleaded not guilty because of insanity to murder in the first degree, stood at his mother's side before Judge J. Gordon Flannery in Poughkeepsie and nodded his assent when asked if he agreed to the plea.

"I'll take whatever Mr. Dow says," he told the Judge.

"Do you agreed to the plea?" Flannery asked the boy's mother, 29-year-old Mrs. Irene Bishop, of 220 W. 17th St.

"I do to this extent," she said, in a voice broken with tears. "I'm convinced that he needs medical attention, and I would like to be sure that he gets it."

Thinks of Chair

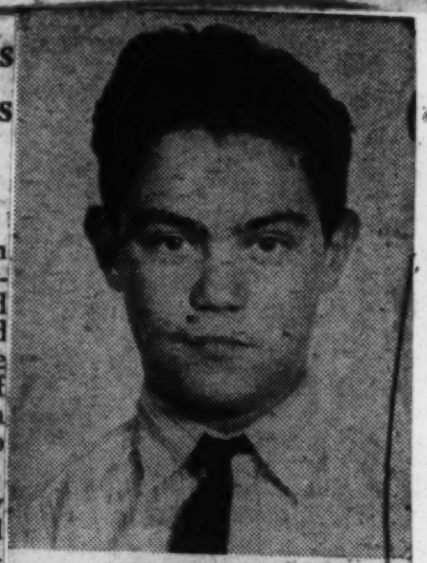
"Do you agree?" the Judge asked again.

"If that will save him from the electric chair, then I do," the child's mother answered.

Earlier, the court had heard Alexander C. Dow, the boy's attorney, say that "in justice to the boy and to society," he was withdrawing his plea of not guilty, and offering a plea of guilty to murder in the second degree.

"I thought and still think this unfortunate boy is a potential repeater and therefore a menace to society," Dow said, "and that both he and the public should be protected against any possible future anti-social act on his part.

"Therefore, under all the circumstances and facts, and in justice to the boy and to society, I feel that I am doing my duty in offering a plea of guilty to murder in the second degree.



Edwin Codarre

"If accepted, it then devolves on the members of the Correction Dept., after the commitment of this boy, to place him in the proper institution where he may receive proper and adequate medical and psychiatric care while paying his penalty to society, all to the end that if he can be reclaimed, such result may be accomplished."

Because of Age

The plea, which came as a result of a five-hour conference held in Poughkeepsie Monday night between attorneys and psychiatrists for both sides, was seconded by Dutchess County's District Attorney, John R. Schwartz, who at the time of the boy's indictment stated:

"The boy is sane, all right. Despite his youth, there is no legal obstacle to prevent him from going to the chair."

"I am prompted to recommend the acceptance of this plea on only one ground, namely the age of the defendant," said the District Attorney, who pointed out that at no time since young Edwin was placed on trial had he asked that the boy be sent to the electric chair.

"I have always felt that because of his age, that penalty should not be given to him."

As an apathetic courtroom audience watched, Edwin, still dressed in the outfit he wore to court on Monday — brown knickers, white shirt and sleeveless blue sweater—was motioned before the bar, where his plea was accepted by Flannery.

"I am glad that this has happened," said Flannery, who set Dec. 6 for sentencing.

Judge Relieved

"I don't know whether you're innocent or guilty," he said to the boy before him. "This isn't for me to decide. But I join with the District Attorney and with your counsel because of your age. I don't think the people of Dutchess County, the jury, the District Attorney, the authorities, or anyone, wanted to see you convicted of murder in the first degree."

Flannery pointed out that even had Edwin been convicted, he could still have turned to the Court of Appeals or to the Governor for assistance.

"But it won't be necessary for that to happen," he continued, "and I'm glad that your case is winding up as it is, because it would be no pleasure for anyone to send a boy of your age to the chair.

"I thank God that it was not my job to do that."

37h-1943

Ohio

7062

Courier-Journal
Louisville, Ky.

Man Guilty of Trying To Rape [redacted] Child

Cincinnati, Aug. 23 (AP)—Judge Fred B. Hoffman today convicted and sentenced John H. Lucey of East Bernstadt, Ky., to four years in prison on a charge of attempted rape involving a 4-year-old child.

37h-1943

South Carolina

7063

INDICT COP FOR ASSAULTING GIRL

The Plaindealer
Kansas City, Kan.

OCT 1943

Charleston, S. C. (ANP)—The Charleston county grand jury Thursday returned a true bill against Olin W. Barrineau, dismissed police chauffeur who is now serving 75 days for attempted criminal assault upon three young colored women on the morning of July 28.

The indictment came after interested friends of the women and a citizen group pressed the case.

The attempted assault occurred on the city dump after the man, dressed in a police uniform, had stopped the three women en route to the Citadel about 4:30 a. m., under pretext of searching them for a pocket knife. He employed Paul Miller, white taxi driver, for the incident, and Miller was sentenced to 25 days or $75 for his part and his license revoked.

OCT 1943

Barrineau was dismissed from the police force and fined. Atty. Harold R. Boulware of Columbia has been retained by citizens interested in continuing the case. Judge J. Henry Johnson issued a bench warrant for Barrineau upon the indictment and the man will be held for the December term of the general session court, upon completion of his present sentence.

OCT 1943

Sentence S. C. Cop For Rape

SEP 28 1943

DEC 18 1943

CHARLESTON, S. C.—(ANP)—Former city police officer Olin W. Barrineau was sentenced to 18 months in prison this week upon a second conviction of attempted rape upon three young colored women. The conviction came upon his release from city prison after completing a 75 days' sentence for the same offense.

DEC 18 1943

Daily World
Atlanta, Georgia

Grand Jury Indicts Olin W. Barrineau

SEP 28 1943

CHARLESTON, S. C. — The Charleston County Grand Jury Thursday returned a true bill against Olin W. Barrineau, dismissed police chauffeur who is now doing 75 days for attempted criminal assault upon three young colored women on the morning of July 28. The indictment came after interested friends of the woman and a citizen group pressed the case.

SEP 28 1943

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37h-1943

Tennessee

7064

Afro-American
Baltimore, Md.

2 Whites Get 10 Years

MAR 27 1943

MURFREESBORO, Tenn. — (ANP) — Following an all-night session, a circuit court jury found two white men, Robert Lane, 26, and Cloe Norris, 20, guilty of criminal assault on a 16-year-old high school girl last December.

The jury set the minimum sentence for the offense—ten years in State prison. It was [illegible] that from the beginning the entire jury agreed on conviction, and the only question was the length of the sentence.

MAR 27 1943

Defense counsel filed a motion for a new trial and Judge T. L. Coleman fixed the defendants' bond at $5,000 each. Since the arrests, the two men had been held in jail without bond.

Citizens Raise Defense Fund

The girl in the case, Miss Lorell Pinkerton, lived on Jefferson Road, a few miles north of Murfreesboro. She used the bus to get to school, and was attacked while walking from the bus to her home.

MAR 27 1943

Colored citizens of Rutherford County raised funds to employ three lawyers to assist in the prosecution which was led by Dist. Atty. Gen. John J. Jewell, Jr.

men following their conviction of a charge of raping a 16-year-old colored high school girl.

Bond for the defendants, Robert Lane, 26, and Cloe Morris, 20, was fixed by Judge T. L. Coleman at $5,000 each. The girl, Lorell Pinkerton, a first-year student at the high school here, was attacked while she was enroute to her home after getting off the school bus.

Colored citizens of Rutherford County raised funds to employ three lawyers to assist in the prosecution which was handled by District Attorney John J. Jewell Jr., who brought out the fact that the girl was forced into the car by Lane and Norris and twice raped by each.

Judge Coleman announced to a packed courtroom that any person who created a disturbance of any kind would be subject to immediate arrest. In all, a jury panel of 55 men were examined before a trial jury was selected. The defense sought vainly to prove that the girl entered the men's car willingly and was paid one-dollar by them.

CHILDREN TESTIFY

MAR 27 1943

Dr. J. R. Gott, the examining physician, told the court that the youthful victim showed every indication of having been criminally attacked.

The testimony of two children provided the break which resulted in the accused pair being sent to prison. William Gann, 8, testified that he saw a man pushing the girl into his car. His sister, Susie, 11, said she saw the two men twice stop the car and say something to the girl who did not stop.

Journal and Guide
Norfolk, Virginia

White Men Get 10 Years For Rape On Girl

MAR 27 1943

Victim Attacked While Returning From School

MAR 27 1943

MURFREESBORO, Tenn.—Sentences of ten years each in the state penitentiary were imposed here last week upon two white

Convict Pair Who 'Attacked' Girl, 16

Pittsburgh, Pa Courier

MAR 20 1943

(By Staff Correspondent)

MURFREESBORO, Tenn., Mar. 18—A degree of justice was achieved here Thursday morning when, after an overnight deliberation, a Circuit court jury found Robert Lane, 26, and Cloe Norris, 20, (both white), guilty of criminally attacking Lorell Pinkerton, 16-year-old Holloway High school freshman, near here December 15, last year.

The jury fixed punishment at 10 years in state prison, minimum sentence for the offense. Defense counsel filed a motion for a new trial to be heard March 29. Presiding Judge T. L. Coleman set bond for each defendant at $5,000. Previously, Lane and Norris, who were arrested shortly after the offense, had been held in jail without bond.

SEVERAL JURY BALLOTS

The jury, it was disclosed, agreed from the beginning of their deliberation on a conviction, but several ballots were taken, all for the purpose of deciding the length of sentence.

The girl, at her parents' expense, commutes by bus to school from her home on the M. W. Smith farm on Jefferson road, five miles north of Murfreesboro. The attack took place while she was headed from the bus stop home.

RAISE FUNDS TO PROSECUTE

Three local lawyers, Clarence Cummings, Alfred Huddleston and R. W. Price, handled the prosecution after being retained on funds raised by Rutherford County Negroes.

The defense was handled by Attorneys C. C. Jackson and Howell Washington.

First state's witness was Fletcher Pinkerton, the girl's father, who said he had lived on the M. W. Smith farm 17 years. He confirmed his daughter's age as 16 at the time of the attack. The girl's mother, Ida B. Pinkerton, testified similarly to her husband, but Judge Coleman failed to acknowledge as evidence what the maiden had told her mother immediately after getting home following the incident.

The girl was the third state's witness.

CHILDREN SEE ATTACKERS

Eight-year-old Willie Gann testified that he was in the Cloe Bond front yard at the time of the happening and saw a man pushing the girl, whom he knows, into a car. His 11-year-old sister, Susie Gann, said she saw the men stop, apparently trying to talk to the girl, who, she stated, did not stop, but kept walking near the Bond house.

Miss Willie Johnson, 30, of Lebanon, Tenn., testified that on the same date of the stated offense she was staying at the home of Harry Thompson, a relative, on Jefferson Lane, commuting to business school in Nashville, when she was approached by two white men around 5 o'clock in the afternoon. She said they asked her if she wanted to go for a ride, to which question she answered a flat no. She expressed inability to identify the men.

ADMIT APPROACHING WOMAN

In their testimny, however, Lane and Norris admitted asking Miss Johnson to go for a ride.

Testifying for the state, Deputy Sheriff Clint Yeargan, who served the arrest warrants on Lane and Norris, quoted Norris as saying: "Put all the blame on me. I'm going to the Army anyway in a little while," whereupon Lane reportedly replied, "You can't do that; I'm just as guilty as you are!"

MAR 20 1943

"LOMAX GIVEN LIFE"

According to news releases last week, J. C. Lomax, accused of criminally assaulting a white woman in New Caney, near Conroe, under queer circumstances, was tried in Beaumont and given life, after having had death sentences reversed twice previously.

Occasionally some liberal white person asks why Negroes put up such a fight to save men of their race accused of criminal assault, or rape. The question implies that Negroes want to protect guilty people of their race. But it is true that white people, immune from railroading and framing, always assume that if it is announced that a Negro has confessed or that he is accused, there must be evidence to back up the announcement. It is impossible for white people to appreciate that a Negro accused of a crime is in a different category and status from a white man accused of a crime.

If Negroes were convinced that Lomax was guilty, they would not turn their efforts a second time to contest his fate in a fair court. But Negroes have been railroaded to their death so often on false evidence, and by the courts being used as instruments of persecution and revenge rather than of justice, that they are not likely to assume a Negro is guilty on thin evidence. The NAACP investigated the Lomax case and found potent evidence showing that Lomax was not guilty. The testimony of the lady involved in the case was such that Lomax would have been turned loose at the first trial, if he had not been black. There was testimony of a merchant in the town and of a white woman, contradicting the possibility of his guilt.

Perhaps Lomax's sentence to life imprisonment will stand. But we still believe that when the penalties are as severe as they are on charges of criminal assault by Negroes against white women, the evidence ought to be overwhelmingly in support of the charge. When, as in this case, there was developed in the first trial more than enough evidence to raise a reasonable doubt, we believe that it causes justice to lose more than the state or the white race can gain by a punishment which millions of people think unjust.

We have said the same thing in regard to courthouse killings. Justice in Texas suffers more, when citizens walk into a courtroom and murder a Negro, than can be gained by any revenge of whatever nature or kind is exemplified by such flaunting of justice. Some day the South will shake itself and take hold of its justice. When that day comes, any man who violates the chastity of a woman will be punished appropriately. But in the sifting of the evidence the courts and officials will be just as hard-boiled against emotionalism, prejudice, sensationalism and revenge as they will be against attempts to evade justice.

We believe that women ought to be able to walk the streets day or night, or to be at home day or night, free from assault or attack. But there will never be a union of the better thinking people of the community to protect all women until the elements of revenge, prejudice and hate can be removed from the prosecution. Because justice has been choked out of the case, Negroes must view it as a partial victory. Lomax was saved from electrocution because they don't believe he is guilty. But it ought to be true that white and black are equally interested in running down and seeing convicted and punished any man accused of violating a woman. It is unfortunate that the whites condone the violation of Negro women by white men, and get beside themselves when there is merely a suspicion of intimacy between Negro men and white women. If the lines are to hold firm, the Government must punish those who enter either side of the line improperly. Segregation does not depend upon keeping Negroes from going over to the white side, as many whites believe, true segregation depends upon respect of the line by both white and black.

ORDER NEW TRIAL IN TEX. RAPE CASE

High Court Throws Out Death Verdict Given In Lynch Atmosphere

TEXARKANA, Tex. — Because the original trial was dominated by fear of the mob spirit a new trial has been ordered for Mat Williams, Negro, convicted on a rape charge and sentenced to death here, it was revealed this week.

Williams, 24, was indicted on last July 10 for the alleged rape of a 4½-year-old white child.

The state relied for conviction on the statements made by the child soon after the alleged crime, her psysical condition and the defendant's confession. At the time of the trial the defendant denied that the confession had been voluntary and said that he had been brutally beaten.

Williams also proved an alibi which was substantiated by other witnesses.

Trial After Lynching

The court has set aside the conviction and ordered a new trial because it felt the place of the trial should have been changed. Three days after the indictment of Williams, Willie Vinson was lynched in the town of Texarkana for being suspected of attempted rape.

Shortly thereafter the Williams case went to trial. The scene of the trial was a crowded court room with the doors guarded. On being searched one spectator was found to be carrying a dagger. Texas Rangers were present. Near the judge were stacked rifles, machine guns and tear gas bombs. At the time the sheriff claimed this precaution was to protect Williams.

Because of these circumstances the Court of Criminal Appeals holds that the place of trial should have been changed.

Fight to Save Lives Of 3 Negro Soldiers

Daily Worker
New York, N. Y.

CAMP MAXEY, Texas, Aug. 9. — Following a court martial here on July 28 Privates Richard Adams, John Bordenave and Lawrence Mitchell have been condemned to hang. This is the second time these Negro soldiers have received the death sentence. They were first sentenced by the federal court at Shreveport, La., in August, 1942. An appeal and petition for writs of habeas corpus were filed by lawyers of the National Association for the Advancement of Colored People. They held that the court which convicted the soldiers was without right to try them, because it had no authority over the lands on which the crime was alleged to have been committed.

The case went to the United States Court, where, on May 24, it was held that the federal courts did not have jurisdiction to try the defendants. The men were returned to the United States Army to be tried by court martial.

Members of the military court, two colonels, a major, two captains and three lieutenants, started their deliberations at 11 o'clock on July 30 and announced their verdict and sentence at 4:45 that afternoon.

" RAPE" VICTIM

The men were convicted of rape of Hattie Rose Mason, a white woman, in Camp Clairbourne. The accused soldiers all testified that Rose Mason was a prostitute who had been paid two dollars in advance by them. Rose Mason testified that the three soldiers raped her. Major McGuffin, of the U. S. Army Medical Corps, testified that he examined the woman thirty hours after the attack and found that she had not made any resistance to the alleged attack, and that, in addition, his physical examination revealed she suffered from venereal diseases of long standing. The three accused soldiers were examined by a reputable physician and no evidence of any venereal disease was found.

Testimony during the trial also revealed that neither Rose Mason nor her white "boy friend," whom she subsequently married, made any complaint at any time concerning the alleged rape. The attention of the military authorities was not brought to the alleged rape until it was reported to them by Rose Mason's roommate.

The prosecution, headed by Major Gawoski of Dallas, Texas, introduced into evidence, over the objection of the defendants, five contradictory, signed confessions, as well as several alleged verbal confessions. The soldiers testified that these confessions were obtained in Alexandria, Louisiana, after beatings and after threats of mob violence made by civilian authorities of Alexandria.

The soldiers were represented at the hearings by Thurgood Marshall and two army men appointed by the Court, Major James C. Oehler and Lt. Harold Oppenheim.

Mr. Marshall stated that the findings of the Court will be reviewed by Major General Donovan, of the Second Service Command, in Dallas, by the Judge Advocate General of the United States Army, and by the Board of Review in Washington, and, finally, if necessary by President Roosevelt.

Mr. Marshall, who will continue to represent the men, feels confident that because of the errors in the record and the inconsistency of the testimony, the case will either be reversed or the sentence changed.

Formal application has already been made to file briefs and to appear before the Judge Advocate General in Washington when the

Afro-American
Baltimore, Md.

NAACP Asks F. D. to Free 3 Soldiers; Cites Colman Case

ST. [illegible] (ANP) — Citing the case of Colonel Colman who, "without provocation" shot a colored soldier and whose only punishment was a demotion in rank, the St. Paul NAACP in a message to President Roosevelt last week asked the release of three soldiers facing death for an alleged criminal attack.

The soldiers, Pvts. Richard P. Adams, Lawrence Mitchell and John W. Bordenave, were given death sentences by a court martial at Camp Maxey, Texas, last July for an alleged criminal attack on Hattie R. Mason, white, at Camp Claiborne, La., in 1942.

Unionist Urges FDR Intervene for 3 Negro Soldiers

Daily Worker
New York, N. Y.

DENVER, Colo., Aug. 9-Urging President Roosevelt to intervene in the case of three Negro soldiers sentenced to be hanged at Camp Maxey, Texas, for "rape," R

Robinson, president of the International Union of Mine, Mill and Smelter Workers, CIO, warned that to carry out such a sentence can only "add to the tension of the race question in the country today."

In a letter to the President, Mr Robinson declared he was sure the sentence "was imposed in its awful severity because of the race of the individuals involved."

The letter from the mine leader follows:

"I have noted in the press that three Negro soldiers are to be hanged at Camp Maxey, Texas for rape. When President Philip Murray and I discussed with you the Negro question as it related to the Butte copper mining situation, you indicated grave concern as to the attitude of the millions of colored people in the nation. I know that you are interested in equal justice for all, regardless of race.

"I am not acquainted with the facts in this situation, but I believe they bear investigation. It is my deep feeling that to hang these three Negro soldiers will add to the tension of the race question in the country today.

"It is well to note from what sections of the country these Negroes come. Lawrence Mitchell, age 21, is from Saginaw, Michigan; John Walter Bordenave, age 30, is from New Orleans; Richard Phillips Adams, age 26, is from Columbus, Ohio. Two of these Negroes come from Northern areas where deep resentment will be expressed by the colored people. The third comes from New Orleans and this treatment at the hands of the U. S. Army will bring bitterness and resentment from the Negro [illegible] who have members in the armed forces.

"I write to you, Commander-in-Chief of the Armed Forces, to make an investigation and mitigate this sentence, which I am sure is imposed in its awful severity because of the race of the individuals involved."

them guilty of participating in a criminal assault upon a 21-year-old waitress.

The defendants were Pvts. Lawrence Mitchell, Saginaw, Mich.; Richard Phillips Adams, Columbus, Ohio, and Walter John Bordenave, New Orleans. They were previously found guilty on the same charge when tried by civil authorities, but through the efforts of the NAACP, this sentence was overruled and a new trial by the military tribunal ordered.

Chicago Defender
Chicago, Illinois

3 Soldiers Get Death Sentences

PARIS, Texas. — At their second trial — this time by a general court-martial at Camp Maxey — three colored Army privates were sentenced to death by hanging Saturday, when the trial court found

37h-1943

Virginia

7066

From Death Cell to Freedom

Washington Post
Washington, D. C.

Associated Press Photo

16 MONTHS IN SHADOW OF DEATH—Freedom has a special meaning to Samuel Legions, 23-year-old Berryville Negro, as he walks with his attorney, Oliver W. Hill (right), from the State penitentiary in Richmond, Va., after spending 16 months in the death cell. He was convicted on a charge of criminally attacking a white woman and sentenced to die, but the judgment was reversed by the Virginia Supreme Court of Appeals, and the young Negro was freed under nolle prosequi proceedings. He expressed a desire to try his luck in the Army when he stepped into freedom with an attorney at 3 p. m. His immediate plans, Prison Supt. Frank Smyth said, were to seek immediate induction in the Army for which apparently he is eligible now that the criminal blot has been removed.

Legions' conviction by the Loudoun County Circuit Court was reversed by the State Supreme Court of Appeals and remanded to the circuit court for "further proceedings." The charges were dropped against him, however, through entry of a nolle prosequi by Commonwealth's Attorney Charles Harrison earlier this week.

Justice George Browning's opinion reversing the trial court held that feeble efforts at resistance by the woman in the case and her husband and other circumstances of the case were "so contrary to human experience and so inherently incredible as to be totally insufficient to justify the verdict of guilty beyond a reasonable doubt."

JUN 20 1943

Washington Post
Washington, D. C.

Legions Leaves Va. Death Cell For Freedom

By the Associated Press

Richmond, Va., June 17.—Samuel Legions, for whom death waited down at the end of a corridor in the state penitentiary for more than a year, walked out of the prison gates today in high hopes of being taken into the Army.

JUN 18 1943

Post
Washington, D.

Life Sentence Given In Holdup-Rape Case

NOV 20 1943

Norfolk, Va., Nov. 19 (AP).—Edward "Polo" Carter, Negro, was sentenced to life imprisonment yesterday after he was convicted in Corporation Court No. 2 on a charge of raping an 18-year-old girl, the companion of a Naval officer who was beaten and robbed at the time of the attack, on October 19.

Tribune
Savannah, Ga.

Not Guilty Verdict Won

NOV 4 - 1943

Alexandria, La.—A verdict of not guilty was rendered October 19th in the case of Eddie Anthony, Negro, charged here with rape of a white woman. The NAACP engaged counsel to handle the defense of Anthony. Following his arrest he was confined to Rapides Parish jail. Later he was removed to military prison at Camp Livingston where his trial was held.

NOV 4 - 1943

37h-1943
The Northwest
Enterprise
Seattle, Washington

Washington

7067.

MAN GETS LIFE IN ATTACK CASE

MAR 24 1943

In a scathing denunciation in which he described the crimes of James McLemore as "next to murder," Superior Judge Chester A. Batchelor sentenced the 26-year-old Negro to life imprisonment for the brutal rape and assault of a Seattle widow January 8.

McLemore, convicted by a jury Wednesday, stood unmoved, cocking his head from one side to the other and staring poker-faced at the judge as sentence was passed. He shuffled from the courtroom and said not a word as handcuffs clicked over his wrists.

MAR 24 1943

"This accused has committed a crime which is next to murder," the court observed, "not only raping this woman but fracturing her skull in such a manner that she still suffers from her injuries.

Perjury Charged MAR 24 1943

"This youth not only has committed these crimes but has admitted his guilt in the presence of officers. He has come into open court and entered a plea of guilty. He then changed his mind and entered a plea of not guilty. To his crimes he has added the crime of perjury. He has pleaded that he was under duress when he admitted his guilt. He certainly was under no duress when he came into this court and pleaded guilty.

"The punishment should not only be in conformity with his crimes, but should serve as a notice to the world that the women of Seattle shall be and will be protected from assault of all kinds.

MAR 24 1943

". . . Particularly when women are engaged in war industries, some of them working day and night. This woman was on her way to a war plant . . . she was doing her part in fighting for her country."

Seattle, Wash.

Mrs. Gennon Litkey, the victim, is the widow of an Army officer. She was attacked near Seventh Avenue South and Main Street.

She could remember nothing of the assault. Northwest Enterprise

Life on Two Counts

Judge Batchelor sentenced McLemore, charged with rape and first-degree assault, to a life sentence in the state penitentiary at Walla Walla on each of the two counts, the sentences to run concurrently.

MAR 24 1943

McLemore, when asked by the court before sentence was passed whether he wished to speak, said:

"I have nothing to say, your honor, except that I'm not guilty and I ask the court to [illegible] as lenient as possible." Seattle

The court's denunciation followed the plea for leniency.

Judge Batchelor paused for a moment and then added:

"There is one more point," the judge said to McLemore, his voice shaking with emotion. "Do not write this court and ask for leniency before your minimum term is up. This court will oppose your parole."

The Northwest
Enterprise
Seattle, Washington

JUDGE GIVES LIFE SENTENCE TO ATTACKER

MAY 5 1943

Sternly denying any leniency, Presiding Judge Calvin S. Hall today passed two sentences of natural life in the state penitentiary on Ralph L. Johnson, 28-year-old soldier who pleaded guilty to two counts of rape and robbery committed against Seattle women.

"This is too serious a crime to show leniency," Judge Hall declared. He refused to consider a request by Maurice Kadish, attorney for Johnson, that the sentences run concurrently instead of being two separate sentences.

MAY 5 1943

Prison Pallid

Johnson remained quiet during the proceedings, and his face became white when the full import of the sentence was understood.

The soldier was arrested on Feb. 17 after a Seattle girl obtained his automobile license when she escaped from his car.

During questioning by police, Johnson admitted attacking six girls and women, most of them employes of Boeing Aircraft Co., where he had been stationed as an army guard.

MAY 5 1943

Record in East

Deputy Prosecutor John Evich told Judge Hall that Johnson had a record of petty thievery in the east, and that he had been in the army since Sept. 1941. Evich said the victims of the attacks ranged in age from 17 to 35, and that most of them had been lured into Johnson's car on promises of "giving them a lift."

MAY 5 1943

Most of the victims, according to Evich, had been threatened with a knife, and one of them had been painfully slashed. In his signed confession, the soldier blamed his actions on excessive drinking and said that he had a wife and a 2-year-old child in St. Joseph, Mo., to whom he would return if leniency were granted.

Johnson is a white man.

Hits Sentence Of 2 Soldiers

WASHINGTON, Nov. 1.—Rep. Vito Marcantonio (ALP, N. Y.) has written Undersecretary of War Robert P. Patterson asking for an audience at which to present an appeal for two Negro soldiers who were convicted of rape in Noumea, New Caledonia, and sentenced to dishonorable discharge and life imprisonment. The two men, Frank Fisher, Jr., and Edward R. Loury, are confined at McNeil Island, Wash. PM

Marcantonio wrote Patterson that he had made a thorough examination of the records in the case of the two convicted privates and was convinced that "these two soldiers were not guilty of the crime charged and that their conviction was a gross miscarriage of justice influenced by the race of the accused. New York, N. Y.

The letter points out that a review of the case was conducted by the Judge Advocate General's office at Melbourne, Australia, and by the commanding officer in that theater. For this reason, Marcantonio says, he was informed the next appeal should be made to the Adjutant General acting under the direction of the Undersecretary of War.

The Northwest
Enterprise
Seattle, Washington

Three Sentenced To Six-Month Term In Morals Case

Declaring that three Negroes who pleaded guilty to indecent liberties [illegible] ing a 14-year-old girl, were "lucky" they were not facing more serious charges, Superior Judge James T. Lawler today sentenced each to six months in the county jail.

Judge Lawler made the remark as counsel for the defendants, Richard E. Owens, 25, a truck driver; Charles E. Lumpkins, 25, a shipyard worker, and William J. Rembert, 23, a sailor, asked for leniency in view of circumstances in the case and the fact that the prosecutor would oppose a deferred sentence.

One attorney pointed out that Rembert had been wounded in action and had been through seven battles in the South aPcific, and did not have the same "attitude" as he would have under normal conditions.

At this point the court observed that "in cases such as these any man should know right from wrongs." AUG 18 1943 adding that service men could not be entitled to any more consideration than civilians. "I think these men are lucky to be charged the way they are. This is a serious crime. They could be put into the penitentiary for 20 years," the court said.

371-1943

Afro-American
Baltimore, Md.

Bill Seeks to Curb Lynching, Fine Offenders

MAR 6 1943

WASHINGTON

possessed of more teeth than any other similar measure previously offered as the anti-lynching bill (H. R. 351) introduced by Rep. Ulysses S. Guyer (Rep., Kansas), which would permit any person fearful of not getting a fair trial under the laws of his State to petition his U. S. District Court for a transfer of his case there. MAR 6 1943

The measure, which was referred to the Committee on the Judiciary, provides that any person charged with or arrested for a crime, who has reason to believe that "because of his race, nationality or religion he is likely to be denied the equal protection of the laws shall be entitled to and shall receive the protection of all officers of the United States. MAR 6 1943

Take Prisoner from State

Upon receipt of such a petition, the clerk shall issue a warrant to the marshal who has the authority to take the prisoner out of the custody of any State official and bring him into the district court for trial.

Any person seeking to prevent the marshal from carrying out his duties would be fined not more than $10,000 and imprisoned not more than ten years.

In the case of a lynching, members of the mob, the bill provides, would face trial in the district court of that section and the county would be subject to a $10,000 forfeit to be paid to the victim's dependents. Should the victim be transported from one county to another before being killed, each county through which he was taken shall be "jointly and severaly liable" to such a forfeit. MAR 6 1943

All State Liable

Should the victim be taken from one State to another between his capture and death, the forfeiture shall be enforced in both State jurisdictions.

A fine of $5,000, a five-year term or both would be imposed [illegible] State or municipal officer who permits a prisoner to be taken from his custody and lynched.

ANTI-LYNCH BILL SPONSOR DIES

WASHINGTON, June 10—Representative [illegible] Guyer, 74, (Rep., [illegible]) for [illegible] years sponsor of the anti-lynching bill, died Saturday at the Naval hospital. Guyer was the ranking Republican member of the House Judiciary committee.

Pittsburgh, Pa. Courier

Congressmen Reveal Stand On Lynch Bill

Bee
Chicago, Ill.

WASHINGTON, D. C.—In answer to letters sent to approximately 360 congressmen by the NAACP asking them to sign Discharge Petition No. 1 on the Gavagan Anti-Lynching Bill, H. R. 51 if they have not already done so 57 replies have been received. Of the 57 congressmen, 33 have signed the petition, 3 state they are going to sign, 5 are giving it their serious consideration, 4 will not sign the petition because they oppose this method of "interfering" with legislative procedure, and 12 write out of town or for other reasons the request was acknowledged by their secretaries.

Byrnes Blocked OC Anti-Lynch Bill

Afro-American
Baltimore, Md.

NEW YORK.—James F. Byrnes, former United States Supreme Court justice, now frequently referred to as the "assistant President of the United States," was revealed this week to be one of the biggest stumbling blocks to the passage of a Federal anti-lynching bill.

Byrnes, who as director of War Mobilization is the boss of every family in the land, is from South Carolina.

How he blocked the antilynch bill is told in the current issue of Look magazine.

Roosevelt Raised Query

According to the story as told by Marquis W. Childs, James Roosevelt, then one of his father's secretaries, phoned Byrnes back in 1938.

"Father wants to know how much longer the antilynch bill is likely to be before the Senate," he said.

"It will be here until 2038, unless he withdraws it," Byrnes replied.

Proponents of the Federal anti-lynch legislation, however, have high hopes that despite Byrnes and his influence, such a bill will yet be passed.

Unbelievable

AUG 28 1943

South Favors Anti-Lynch Law

Courier
Pittsburgh, Pa.

PRINCETON, N. J., Aug. 26—(ANP)—Dr. George Gallup, director of the American Institute of Public Opinion declared last week that a poll taken of Southerners revealed that a majority of them favored a Federal anti-lynching law.

Field reporters for the institute canvassed a representative cross-section of voters in Texas, Louisiana, Arkansas, Oklahoma, Georgia, South Carolina, North Carolina, Tennessee, Mississippi, Kentucky, Alabama and Virginia and asked this question:

"Do you favor or oppose a Federal anti-lynching law?"

UPSETS POLL MADE IN AUG 28 1943

A majority of the persons questioned favored the law as opposed to a similar poll taken in 1937 when less than a majority favored the law. Today's findings compared with those of the earlier poll show:

	Today	1937
Favor Federal anti-lynching law	56%	47%
Oppose Federal anti-lynching law	23%	36%
No opinion	21%	17%

Pointing out [illegible] those with opinions [illegible] were to be considered, the institute's report said a greater proportional increase was noted among those favoring the law. In 1937, 57 per cent of those with opinions favored the law, but today the percentage has jumped to 71 per cent, which Dr. Gallup termed a "substantial majority."

Opposition to Federal anti-lynch law, according to Gallup, is based on arguments that such legislation would violate states' rights. Advocates, he said, based their fight upon the 14th amendment that states: "No State shall deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction equal protection of the laws."

South OKs Anti-Lynch Legislation

Tribune
Philadelphia, Pa.

PRINCETON, N. J.—(ANP)—Dr. George Gallup, director, American Institute of Public Opinion, declared last week that a poll taken of southerners revealed that a majority of them favored a federal anti-lynch law. AUG 28

Field reporters for the institute canvassed a representative cross-section of voters of Texas, Louisiana, Arkansas, Oklahoma, Georgia, South Carolina, North Carolina, Tennessee, Mississippi, Kentucky, Alabama, and Virginia and asked this question:

"Do you favor or oppose a federal anti-lynching law?"

A majority of the persons sampled favored the law as opposed to a similar poll taken in 1937 when less than a majority favored the law. Today's findings compared with those of the earlier poll show:

Favor Federal anti-lynching law ....Today....56 per cent; 1937....47 per cent.

Oppose Federal anti-lynching law ....Today ....23 per cent; 1937....36 per cent.

No Opinion .... Today 21 per cent;.... 1937 17 per cent.

Opposition to federal anti-lynch law, according to Gallup, is based on arguments that such legislation would violate states' rights. Advocates he said based their fight upon the 14th amendment that states: "no state shall deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction equal protection of the laws."

7068

Editor's Note:
Title pages only filmed

78TH CONGRESS
1ST SESSION

H. R. 820

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1943

Mr. CELLER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

For the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act are enacted in exercise of the power of Congress to enforce, by appropriate legislation, the provisions of the fourteenth amendment of the Constitution of the United States and for the purpose of better assuring under said amendment protection to the lives and persons of citizens of the United States and equal protection of the laws and due process of law to all persons within the jurisdiction of the several States. A State shall be

78TH CONGRESS
1ST SESSION

H. R. 861

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1943

Mr. CLASON introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

For the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act are enacted in exercise of the power of Congress to enforce, by appropriate legislation, the provisions of the fourteenth amendment of the Constitution of the United States and for the purpose of better assuring under said amendment protection to the lives and persons of citizens of the United States and equal protection of the laws and due process of law to all persons within the jurisdiction of the several States. A State shall be deemed to

78TH CONGRESS
1ST SESSION

H. R. 2101

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1943

Mr. POWERS introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

For the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act are enacted in exercise of the power of Congress to enforce, by appropriate legislation, the provisions of the fourteenth amendment of the Constitution of the United States and for the purpose of better assuring under said amendment protection to the lives and persons of citizens of the United States and equal protection of the laws and due process of law to all persons within the jurisdiction of the several States. A State shall

78TH CONGRESS
1ST SESSION

H. R. 351

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1943

Mr. GUYER of Kansas introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any criminal prosecution shall have been instituted or any warrant of arrest shall have been issued, or any arrest shall have been made, or attempted, with the purpose and intent of criminal prosecution, in any State court, against any person within the jurisdiction of the State, whether he be a citizen of the United States or not, and such person shall appeal, as hereinafter provided, for the protection of the Government of the United States upon the

78TH CONGRESS
1ST SESSION

H. R. 657

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1943

Mr. LUDLOW introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To define the crime of lynching, to prescribe punishment therefor, and to authorize the Federal Bureau of Investigation to investigate the facts in connection with lynchings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it shall be unlawful for any person to move or travel from one State into another State for the purpose of aiding or abetting the lynching of any person.

(b) It shall be unlawful for any person to send by telephone, telegraph, or radio, or through the mails, any communication which urges or invites any person to aid or abet the lynching of any person.

(c) As used in this section the term "States" means

78TH CONGRESS
1ST SESSION

H. R. 469

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1943

Mr. FORD introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act are enacted in exercise of the power of Congress to enforce, by appropriate legislation, the provisions of the fourteenth amendment to the Constitution of the United States and for the purpose of better assuring by the several States under said amendment equal protection and due process of law to all persons charged with or suspected or convicted of any offense within their jurisdiction.

SEC. 2. Any assemblage of three or more persons which

78TH CONGRESS
1ST SESSION

H. R. 321

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1943

Mr. FISH introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act are enacted in exercise of the power of Congress to enforce, by appropriate legislation, the provisions of the fourteenth amendment to the Constitution of the United States and for the purpose of better assuring by the several States under said amendment equal protection and due process of law to all persons charged with or suspected or convicted of any offense within their jurisdiction.

SEC. 2. Any assemblage of three or more persons which

78TH CONGRESS
1ST SESSION

H. R. 51

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1943

Mr. GAVAGAN introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act are enacted in exercise of the power of Congress to enforce, by appropriate legislation, the provisions of the fourteenth amendment to the Constitution of the United States and for the purpose of better assuring by the several States under said amendment equal protection and due process of law to all persons charged with or suspected or convicted of any offense within their jurisdiction.

SEC. 2. Any assemblage of three or more persons which

(37i)

Legis Reference
to

NATIONAL EMERGENCY COMMITTEE TO STOP LYNCHING
Room 802, 1123 Broadway
New York, N. Y.

Release on Receipt
January 13, 1943

"An historic step in the fight to stop lynching" was the characterization given today by Congressman Vito Marcantonio, chairman of the National Emergency Committee to Stop Lynching, to the federal indictment of five lynchers in Mississippi.

"I am sure these indictments will be heartily welcomed by the great majority of the people of Mississippi," Congressman Marcantonio said. "They demonstrated their detestation of lynching, their understanding that it is a fifth-column act, in publishing as a full-page advertisement in the Jackson, Mississippi, Clarion-Ledger, last November 11, an open letter to Governor Paul B. Johnson urging punishment of the lynchers. That open letter was signed by 76 of the most prominent community leaders in the State.

"The National Emergency Committee to Stop Lynching, which includes more than a hundred of the most prominent labor, church and civic leaders all over the country was established for the single purpose of securing the punishment of the fifth columnists who perpetrated the three lynchings within five days in Mississippi last October. It has continued that fight energetically. These indictments are the first fruit of these efforts.

"These indictments are an historic step in the fight to stop lynching. They indicate official recognition of the fact that lynching is now a weapon of Hitler and the Axis. These indictments are a win-the-war action.

"Our representative whom we sent to Mississippi reported overwhelming sentiment in everyone to whom he talked from Governor Johnson down, in favor of swift punishment for the lynchers. The people of Mississippi had only hoped for murder indictment and capital punishment for the saboteurs who perpetrated these crimes. Failing that, intervention by the federal authorities, for the first time in history, in such a manner, will be welcomed by the people of the state as well as by all decent citizens in other parts of the country.

"We will continue to press the fight until the lynchers of Howard Wash are actually punished.

"We will continue the fight for the indictment and punishment of the lynchers of Ernest Green and Charles Lang, 14-year-old Negro boys,

(more)

until this is accomplished."

Under the federal law on which the indictments of four private citizens and a deputy sheriff in Mississippi are based, they can be imprisoned for ten years and fined $10,000.

Ernest Green and Charles Lang, the two 14-year-old Negro boys referred to in the statement, in whose lynchings no indictments have been brought, were hanged to a bridge on October 12, 1942. Howard Wash was lynched on October 16.

Secretary of the National Emergency Committee to Stop Lynching, which was organized on October 18, is Ferdinand C. Smith, secretary of the National Maritime Union. Dr. Max Yergan, president of the National Negro Congress, is treasurer.

Among the members of the Committee are: Bishop James A. Bray of Chicago; Bishop D. H. Sims of Philadelphia; Rev. O. H. Trigg of Salem Methodist Church, N. Y.; Dr. William H. Jernagin of Washington, D. C.; Rev. Ethelred Brown of Harlem Unitarian Church, N. Y.; N. Y. Councilman the Rev. A. Clayton Powell, Jr.;

New York Assemblymen Hulan E. Jack, Daniel Burrows and William T. Andrews; Chicago Alderman Earl Dickerson, also a member of the President's Committee on Fair Employment Practice; Judge William C. Hueston, Washington, D. C.; Judge James A. Watson, New York;

James Eggert Allen, president N. Y. State Council, NAACP: Paul Robeson; J. Finley Wilson, Grand Exalted Ruler IBPOEW; Hobson Reynolds, Director of Civil Liberties Dopertment, IBPOEW; Wilfred E. Lewin, Chairman Civil Liberties Committee, New York, IBPOEW; James Waterman Wise, research director, Council Against Intolerance in America.

Col. William J. Schieffelin, New York; Charlotte Carr of Hull House, Chicago; St. Claire Bourne, managing editor, People's Voice, N. Y.; C. B. Powell, editor Amsterdam Star-News, New York; Mrs. Charlotta A. Bass, editor California Eagle, Los Angeles; George Marshall, chairman, National Federation for Constitutional Liberties; Anna Damon, secretary, International Labor Defense; Dean George Payne, New York University;

Reid Robinson, president, International Union of Mine, Mill and Smelter Workers; Joseph Curran, president, National Maritime Union; Ben Gold, president, International Fur and Leather Workers Union; Lewis Merrill, president, United Office and Professional Workers; Theodore Jackson, Eastern Legional Director Dining Car Employees Union; Conrad Kaye, secretary, Meat Cutters Union Local 623; Clifford T. McAvoy, Legislative Representative, New York Industrial Union Council; Arthur Osman, President Local 65, United Wholesale and Warehouse Employees; and leading officers of many central labor bodies and industrial union councils throughout the country.

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News
Birmingham, Ala.

Tuscumbia Jail Charged By Mob Seeking Negroes

State Guard Called Out To Handle Crowd After Two Prisoners

TUSCUMBIA, Ala.—A mob of more than 100 men charged the Colbert County Jail Friday night in an attempt to take two Negroes, Ulysses Douglas and Jesse Douglas, convicted of the order of Tom Terry, white filling station operator.

According to reports from Harold S. May, captain of the Florence State Guard, the mob appeared after the jury had recommended clemency of life imprisonment in the case.

Only by action of the sheriff's office and the State Guard was the threatening mob repulsed. The mob leader, unidentified, who was said to be a relative of the slain man, said that "if I'm not given the keys to the jail, we'll get an acetylene torch and burn the doors off."

Colbert County deputies reached Gov. Chauncey Sparks by telephone after which the State Guard was called up to take charge.

Reports said that the Negroes, both under 20, robbed and killed Terry at the front door of his house. Deputies later found about $250 of the slain man's money in the Negroes' possession.

The two Negroes were sent to Birmingham early Saturday under armed guard.

Mobile, Ala. Register
October 31, 1943

Militia Disperses Colbert Lynch Mob

Crowd Attempts To Take Convicted Negro Slayers From County Jail

TUSCUMBIA, Ala., Oct. 30.—(AP)—Protected by State Guardsmen from a mob assembled outside the Colbert County jail here, two young negroes under life sentence for slaying a white man were removed from their cells early Saturday and taken to Kilby prison, near Montgomery.

Tuscumbia Police Chief Lee Goodwin said Gov. Chauncey Sparks called out the guard after being notified that members of the mob had demanded that Chief Deputy Sheriff Lee McCorkle surrender the jail keys to them.

Chief Goodwin added that although no attempt was made to storm the jail, a member told McCorkle that "We're coming back with a torch and burn the doors off."

The negroes, Ulysses and Jesse Douglas, brothers, were convicted by a jury here last Wednesday of robbing and slaying Tom Terry, a Leighton, Ala., filling station operator.

Chief Goodwin said Circuit Judge Charles Allman made a quick trip to the jail to formally impose the life-sentences fixed against the negroes by the trial jury. Immediately afterward, the officer added, authorities departed for Montgomery with the prisoners.

The mob, estimated to number about 100 men, dispersed shortly after the State Militiamen arrived, Chief Goodwin declared. He said the militia force numbered about 18 men.

Birmingham, Ala., News
October 31, 1943

Angry Crowd Rushes Colbert County Jail Seeking Two Negroes

State Guard Called Out To Rout Mob; Prisoners Removed For Safekeeping

An angry mob of more than 100 men late Friday night assembled before the Colbert County Jail and demanded access to the cells of two young Negro brothers, Ulysses and Jesse Douglas, under sentence of life imprisonment for the fatal shooting of Tom Terry, white filling station operator.

According to Tuscumbia Police Chief Lee Godwin and Harold S. May, captain of the Florence, Ala., State Guard, the men who appeared before the jail were said to have been from an adjoining county and led by an irate relative of the slain victim. One man allegedly said "if we're not given the keys to the jail, we'll get an acetylene torch and burn the doors off."

Sheffield (Ala.) Standard & Times
November 5, 1943

STATE GUARDS PREVENT MOB LYNCHING HERE

Sought Two Negroes Found Guilty Of Slaying White

Two young negroes under life sentence for the slaying and robbery of a white filling station operator were removed early Saturday to Kilby prison at Montgomery after a mob assembled before the Colbert county jail, at Tuscumbia late Friday night and demanded access to the jail.

Tuscumbia Police Chief Lee Goodwin said the negroes, guarded by 18 members of the state guard, were taken away from the jail in an automobile a short time after the mob, numbering an estimated 100 men, assembled.

He said Circuit Judge Charles P. Almon, of Florence, made a hurried trip to the jail to formally sentence the negroes just prior to their removal to Kilby. The trial jury had ordered life terms for both negroes.

The negroes, Ulysses and Jesse Douglas, brothers, were convicted Oct. 27 of robbing and slaying Tom Terry, Leighton filling station operator.

Chief Goodwin said Gov. Chauncey Sparks, notified that members of the mob had demanded that Chief Deputy Sheriff Lee McCorkle surrender the jail keys to them, ordered a state guard detail dispatched to Tuscumbia from Florence.

The officer said the mob made no attempt to storm the jail, adding that one member told McCorkle that "we're coming back with a torch and burn the jail doors off."

The mob dispersed after the state militiamen arrived, Chief Goodwin said. State highway patrolmen also aided the local officers in maintaining order.

At the urgent request of Sheriff Otis H. McRight, of Colbert county, Gov. Chauncey Sparks ordered State Guard Companies, No. 1, of Florence, and Headquarters and Supply Company, of Tuscumbia, on active duty shortly before midnight Friday with instructions to prevent an angry mob of approximately 100 men, said to be from Lawrence county, from storming the Colbert county jail and taking into their custody two negroes convicted of first degree murder in connection with the slaying of Tom Terry, of near Leighton. The negroes had been convicted of the crime in circuit court and were to be sentenced to life imprisonment in the state penitentiary Saturday at 10 a. m. by Judge Charles P. Almon.

urday and taken to Kilby prison, near Montgomery by state guardsmen when a mob assembled outside the Colbert county jail here.

According to Tuscumbia Police Chief Lee Goodwin, Gov. Chauncey Sparks called out the guard after being notified that members of the mob had demanded that the chief deputy sheriff surrender the jail keys to them.

The two brothers, Ulysses and Jesse Douglas, were convicted by a jury here last Wednesday of robbing and slaying a filling station operator.

NOV 3 1943

Saves Brothers From Ala. Mob

NOV 13 1943

Courier Pittsburgh Pa.

TUSCUMBIA, Ala.—(ANP)—Two young brothers, under life sentence for slaying a white man, were removed from their cells early Sat-

37k-1943

Arkansas

7070

Chicago Defender
Chicago, Illinois

Secrete Prisoner To Avoid Mob Threat

MAR 6 1943

RUSSELLVILLE, Ark.—A colored youth, arrested in connection with the recent slaying of a young white girl, has been removed to an unannounced jail for safekeeping, Deputy Sheriff Robert Rankin stated Saturday.

MAR 6 1943

The deputy said officers took the youth from Pope county jail after they had been informed a mob had planned to seize the suspect.

7071

Police Save Worker From Beach Mob

Philadelphia Tribune
Philadelphia, Pa.

LOS ANGELES—(ANP)—Because a small but murderous mob of whites brazenly admitted chasing a colored shipyard worker with tools and clubs at Long Beach last week, the judge presiding over his preliminary trial for slashing one of their friends, released him on his own recognizance without hesitation.

The intended victim of the vengerful mob was Osborne Moore, of Los Angeles, and the man [illegible]d cut was a white "lead man" at the Consolidated Shipbuilding Co., where both are employed.

37k-1943

General

7072

Charleston, S. C., News-Courier
November 28, 1943

Professionals Often Fail

The professional lynchers in the Big Towns are not always successful in lynching enterprises and the police in New York are to be praised for protecting the foreman of a grand jury from lynchers, or hoodlums. We have had lynchers but not professional lynchers in South Carolina.

37k-1943

Kentucky

7073

Riot Follows Street Killing In Carrollton

NOV 8 1943

Crowd Chases Chief of Police, Storms Jail

Courier-Journal
Louisville, Ky.

Special to

Carrollton, Ky., Nov. 7.—Slaying of James Wiley, 17, by Chief of Police Charles Dolby on the street here when the youth demanded that police release his brother, Pvt. Henry Wiley, Fort Knox, home on a furlough, kept this town in disorder for eight hours last night during which time an angry crowd threatened to lynch the police chief.

Young Wiley pressed through a crowd which pursued Dolby and Policeman William Carrico, who had arrested the soldier on a charge of disturbing the peace, and demanded that his brother be released. In the excitement caused by the milling and angered crowd, Chief Dolby drew his pistol, leveled it at Wiley and shot once. The bullet pierced the boy's left lung and he died a few hours later in a Louisville hospital. He was a son of Mr. and Mrs. Pat Wiley.

Chief Eludes Pursuers.

Incensed over the shooting, the crowd turned about Chief Dolby, threatening to lynch him. The chief fled, shook off his pursuers, and barricaded himself in the City Hall. The angry crowd, which filled the square fronting the jail and City Hall, pressed about the municipal building, demanding that the chief emerge and give himself up.

While the crowd was attempting to get into the City Hall, a riot call was sent out to nearby Kentucky highway patrolmen who arrived just as the vanguard of the mob appeared to be gaining entrance to the municipal building. The State patrolmen pushed through the crowd and into the City Hall, spiriting Dolby from an upstairs back room through a rear door and down an alley.

NOV 8

Dolby [illegible] to [illegible]

(At Frankfort, where Dolby was taken for safekeeping by Capt. Noel Jones and Capt. Ed Whalen of the State Highway Patrol, the 63-year-old police chief refused to discuss the case until he has conferred with a lawyer whom he expects to retain tomorrow.

(Dolby was committed to the custody of Mrs. C. B. Howser, Franklin County jailer, at 1 a.m. today. Mrs. Howser said she expected to hold him until Wednesday.

(Still attired in his uniform, Dolby was nursing a severe bruise on the back of his head which he said he suffered when hit by a bottle during the melee at Carrollton. He also suffered head lacerations and complained of an arm injury.)

Crowd Storms Jail.

Feeling continued to run high throughout the night as the crowd pressed its hunt for Dolby, repeatedly [illegible] his appearance. The shooting occurred about 10:30 p.m. outside a beer hall, and the crowd did not disperse until dawn, after almost eight hours of disorder, when it was learned that Chief Dolby had been taken out of town.

NOV 8 1943

The crowd also stormed the city jail, where Private Wiley had been lodged, and menaced the [illegible] until authorities released the soldier. The crowd tried to rush down an eight-foot iron picket fence surrounding the jail and attempted to scale it in an effort to liberate the soldier. Carl Graham, Carroll County coroner, said this afternoon he would hold an inquest in the slaying at 10 a.m. tomorrow. Mayor Luther Fothergill said a "thorough investigation" would be made immediately into the case.

NOV 8

37k-1943

Daily World
Atlanta, Georgia

Mississippians Promise Not To Lynch Prisoner

JACKSON, Miss-(ANP)-Citizens of Sharkey county held a mass meeting Wednesday pledging there would be no attempt to lynch Harry Sais, 30, charged with shooting P. A. Moore, police chief of Rolling Fork, Sharkey county seat. Sais is now being held in the Hinds county jail.

The chief, who identified Sais as his slayer before he died, was shot after he arrested Pvt. Roosevelt Sais, brother of the alleged killer. The soldier, charged with creating a disturbance at a Rolling Fork Cafe last Saturday was taken into custody by Moore who went to the extreme length of handicuffing the uniformed man.

Henry allegedly asked the chief to turn his brother loose. When Moore refused to do so, he was shot.

Afro-American
Baltimore, Md

Mississippians Pledge Safety for Prisoner

JACKSON, Miss.—At a mass meeting last week citizens of Sharkey County promised not to lynch Harry Sais, 30, who allegedly confessed killing a police chief.

Sais, who reportedly surrendered to officers, was held in Hinds County jail Thursday for the fatal shooting of F. A. Moore, chief of police of Rolling Fork, Sharkey County seat.

Refused to Free Soldier

Moore was shot after refusing to release the brother of the accused, Pvt. Roosevelt Sais, who had been arrested the previous Saturday for creating a disturbance in a Rolling Fork cafe.

The police chief named Harry Sais as his assailant before he died in a Vicksburg hospital Tuesday night.

Mississippi

Burrows Awaits Trial In Miss.

GULFPORT, Miss.—(SNS)—George Burrows who fled Mississippi after shooting his way out of a lynch-up intent upon his lynching is now being held in Hines County Jail. No indictment against him has been returned due to an asserted physical inability of essential witnesses to attend the grand jury.

Burrows was returned to Mississippi early last month by Governor Dewey of New York on the personal pledge of Governor Johnson that he would have a fair trial. Dewey's action was in response to an appeal by Thurgood Marshall, NAACP special counsel to act against the extradition of Burrows.

Upon notification from the New York Police following a routine investigation in which Burrows was found not to be in possession of his draft card, a Mississippi sheriff had driven to New York in an automobile. Additional safety was assured Burrows when instead of being returned to Gulfport in the sheriff's car, he was sent back by train.

Questioning by the New York Police had revealed that in 1942, Burrows had been employed as a cook in the Edgewater Hotel, Gulfport, Mississippi, last April at the point of a gun, he had been ordered into the basement and brutally beaten by five white men. During the beating, the men repeatedly told him he would be lynched as soon as it was dark. He says he was not informed at the time for the reason of the beating or the threat of lynching, but in his fear and desperation to escape the lynching, he fired a pistol and it is alleged that he wounded two of his would-be-lynchers. Burrows ran into the woods where he hid for four days during which the Mississippi authorities hunted him with bloodhounds and posse. Burrows escaped to Cuba and later to New York.

7074

37k-1943

New Jersey

7076

Tribune
Philadelphia, Pa.

MAY 15 1943

Dixie Sailors Mob Pa. Woman on Train

MAY 15 1943

By DAVIS LEE
Editor, N.J. AFRO-AMERICAN

TRENTON, N.J. — Mrs. Bessie Jackson, 1939 Fontaine Street, Philadelphia, barely missed being lynched Monday morning when several colored and white passengers on a southbound Pennsylvania train blocked the efforts of thirty white sailors to take her off.

MAY 15 1943

Mrs. Jackson boarded the train at Newark and took a seat beside a sailor from Alabama who was asleep. According to her story to police, when the sailor awoke and noticed her, he began to use abusive language and demanded that she get up.

When she refused to move, Mrs. Jackson says, the sailor struck her in the mouth, breaking one of her teeth, and kicked her when she sought to defend herself with one of her shoes.

Lynching Threatened

Herman Brown, 20, of 30 West Diamond Street, Philadelphia, a passenger on the train, went to the aid of Mrs. Jackson and stopped the sailor from beating her.

MAY 15 1943

The twenty-nine other sailors then rushed up, stopped the train in the woods near New Brunswick and attempted to take Mrs. Jackson off, shouting their intentions of lynching her.

Several other colored passengers joined Mr. Brown in helping to protect Mrs. Jackson, as did a number of white civilians.

Arrested at Trenton

Mrs. Jackson, who refused to comply with a railroad policeman's order to get off the train at Adams, a deserted station near New Brunswick, was placed under arrest and taken to police headquarters upon arrival in Trenton. The sailor was not arrested.

A delegation of Trenton citizens headed by Peyton Manning and Dr. Austin, sought her release, which was effected later in the day through the help of Robert Queen, Sr., attorney.

Mr. Queen told the AFRO that Mrs. Jackson's arrest was ordered by the railroad detectives who tried to force her to sign a statement absolving the railroad of any responsibility.

She refused to sign such a statement, he said, and plans to enter suit immediately.

Mrs. Jackson has four brothers in the army, all said to be on duty in North Africa.

37k-1943

NORTH CAROLINA

7075

Afro-American
Baltimore, Md.

Whisk Soldier Out of Town To Foil Mob

JAN 23 1943

EDENTON, N.C.—Pvt. William Martin, a resident of Chowan County, who reportedly admitted stabbing a young white man here on Saturday night, has been removed to an unnamed jail to avoid possible mob violence.

On furlough from Camp Gordon, Ga., to visit his sick mother here, Pvt. Martin told police that he and the white man, Walter Adams, bumped into each other and after a few words, Adams hit him in the face.

Cutting Occurred Later

Obtaining a knife, Martin said Adams was cut when the two met again later. Suffering a deep gash on the forehead and a wound near the heart, the man was rushed to Elizabeth City Hospital.

Threats of mob violence after the affair are attributed largely to a group of Georgia white men employed at the Marine Corps Air Station. Police and State highway patrolmen closed all pool rooms and dispersed all gatherings.

JAN 23 1943

One Person Manhandled

The traffic manager of a local bus station was the only minor casualty. He was treated roughly when he refused to allow a group of white men to enter the colored waiting room where passengers were awaiting buses.

Journal and Guide
Norfolk, Virginia

By C. L. WILLIAMS

ELIZABETH CITY, N. C. Credited with having given to the press a statement asserting that a new angle had developed which eliminated the theory of race conflict in the ambushing of three sailors on the front porch of their home here Friday night, when one was killed and two injured, Chief of Police W. W. Spence declined to amplify upon that statement when requested to do so by a Journal and Guide representative here Monday morning.

JAN 9 - 1943

The slaying, in which Negroes were suspected by local police, brought to the city state troopers, marines, and navy shore patrolmen.

The chief admitted that he had stated that a new angle had developed, but disclaimed having made further remarks regarding the situation.

The shooting from ambush of the three sailors followed within two days of the alleged criminal attack on a 13-year old white girl within 300 yards of the shooting scene, thus giving impetus to racial tenseness which had been brewing over the attack incident.

The girl had told her parents and the police that her alleged attacker was a Negro.

The two survivors of the shooting are said to have told police that, when enroute home, they had bumped into a Negro and an argument had ensued.

Two suspects are being held in jail in the shooting case and one in the attack case.

JAN 9 - 1943

It is said, however, that the youth accused by the girl is in a position to offer a strong alibi.

Andrew Jackson Sawyer, 19, and Marvin Sawyer, 18, his brother, had just returned home and Randall Sawyer had opened the door for them when the shot gun blast was fired, the survivors said.

The former was instantly killed, and the latter was critically injured. Randall was declared not to have been seriously hurt. All three were hit by the single blast from the shotgun.

ARMED MEN GATHER

Following the shooting, armed white men assembled in the streets, uttering threats regarding all Negroes.

Alarmed over the situation, Mayor Jerome Flora requested of Governor J. M. Broughton that state troops be dispatched to the city, and called upon the nearby Naval Air Station for a shore patrol to avert possible mob violence.

Two bus loads of troops were sent and a detail of 51 state policemen, some coming from as far as 150 miles. A detail of marines also arrived.

Local police, aided by the troopers, instituted an intensive search of Negro homes in the vicinity in quest of firearms. The city was declared out of bounds for all service men and those living in the city were ordered to remain inside.

JAN 9 1943

These activities were centered in the section known as Sawyertown, inhabited mostly by lower income groups of colored and white. Modern conveniences do not enter into household equipment here.

The Sawyer home on Skinner avenue fronts a row of colored houses from which it is separated by the Norfolk and Southern railroad tracks.

WOMEN QUESTIONED

Men and women whose homes were searched were questioned closely as to how many male members helped to make up the family, and asked other detailed questions regarding the recent activities of their men folk.

Officers renewed the quest Saturday night, warning the householders as to possible consequences.

Many of the residents were still considerably nervous early this week.

Pittsburgh Courier
Pittsburgh, Pa.

Police Saved Man From Mob

JAN 23 1943

ELIZABETH CITY, N. C., Jan. 21 (ANP)—W. H. Poole has signed a confession stating that he unintentionally killed a white man, Andrew Jackson Sawyer, and wounded the latter's brothers as racial feelings ran high during the attempts of a posse to capture a Negro who allegedly raped a 13-year-old white girl. Only the prompt action of authorities in disbanding a mob of whites after the shooting averted a race riot.

Poole in his confession Saturday said that on the Friday night of the killing three weeks ago he had come from town and noticed two sailors coming out of the Copeland confectionary store with several bottles of beer.

RETURNED WITH GUN

They were discussing the rape case, and Poole said one of the sailors accused him of the assault and told him, "We're going to get you." One started to throw a bottle at him and he ran. When he got home he told his wife, then took down his single barreled shotgun.

JAN 23 1943

Having recognized the boys, he returned to the Sawyer home and waited for the sailors. When they and a companion got on their porch, he fired, intending only to "sting them a little."

Globe and Independent
Nashville, Tenn.

COPS QUELL MOB GATHERED TO GET COLORED SOLDIER

JAN 30 1943

EDENTON, N. C., Jan. 28—(ANP) Police dispersed a mob which formed after Pvt. William Martin had been arrested Saturday night for seriously knifing Walter Adams, white, after the latter struck him in the face when they accidentally bumped into each other on a local street.

This small town is near Elizabeth City where a few weeks ago officers were called to quell a mob after one white sailor was slain and his two brothers wounded following an argument with a Negro while a posse hunted the alleged rapist of a 13-year-old white girl.

Pvt. Martin, a native of this section, had been allowed to come home from Camp Gordon at Augusta, Ga., to visit his sick mother. He told officers that after he and the white youth accidentally bumped on the street, the latter called him several names and then hit him in the face. Martin said he then bought a knife and when he met Adams later, cut him. Adams received a deep gash on the forehead and a dangerous wound near hte heart.

Leaders of the mob which formed soon after were a group of Georgia white men working at the marine corps air station. Police closed all pool rooms and with the aid of highway patrolmen and extra officers broke up crowds wherever they assembled. The county home guard was also called to be in readiness for further trouble.

Chester Hawknis, white, traffic manager of the Norfolk Southern Bus corporation, was roughly treated by a few white men when he refused to allow them to enter the Negro waiting room where a group of colored person s was waiting for buses.

37k-1943

Tennessee

7077

Chicago Defender
Chicago, Illinois

Tennessee Cops Foil Lynching

JAN 30 1943

KNOXVILLE, Tenn.—The timely arrival of police foiled a lynching here last Friday night, when Police Sam Fred Scruggs and Ross Sims arrested Charles Wallace, 32, a TVA worker, and lodged him safely in jail.

JAN 30 1943

A hostile crowd assembled after Mrs. Bertha Nicholson (white) had identified Wallace as the man who had attempted to assault her Friday. She made the identification by bite wounds on Wallace's fingers inflicted, she said, during the assault attempt. Before arrival of the police, the whites surrendered the alleged assailant and threatened to lynch him in the woods just north of suburban Lonsdale.

Pittsburgh Courier
Pittsburgh, Pa.

SHIFTS PRISONERS FOR SAFEKEEPING

NASHVILLE, Tenn., June 12—Sheriff Sim Banks of Coffee County said here recently that he had removed all colored prisoners from the Manchester jail for "safekeeping" after threats of mob violence against colored prisoners involved in the assault-murder of an officer's wife at Camp Forrest.

Twice, crowds swarmed on the jail, but Sheriff Banks was able to disperse them. He brought Pittman Ward, 20, one of two colored men now charged with the slaying of Mrs. Norma Faye Scogin, to a Nashville jail while the other man charged with the murder, a soldier, remained in a Camp Forrest

Amsterdam Star-News
New York, N. Y.

Lynching Averted By Knoxville Cops

Feb. 27, 1943

By O. B. TAYLOR

KNOXVILLE, Tenn. (ANP) — Charles Wallace, Negro, 32 employed by the TVA here, is being held in jail for investigation. Mrs. Bertha Nicholson, white, 24 identified Wallace by bite wounds on his fingers allegedly inflicted by her at 8:30 Friday night during an attempted assault in the streets. She suffered severe bruises about the face, but was dismissed from general hospital later. Following the alleged attack, a small group of angry white men surrounded Wallace, threatening to lynch him. Arrival of policeman prevented this by taking their prisoner to jail.

Suiter Uses Shotgun To Slay Girl

Chicago Def.
Chicago, Ill.

JUL — 1943

CHATTANOOGA, Tenn.—(ANP)—Incensed over the shotgun slaying of a girl, Mary Ector, by her former suitor, Percy King, 39, a crowd of angry men and women attempted to take the alleged slayer away from white city police officers who were forced to protect their prisoner with drawn guns.

Miss Ector had called the police for protection after King had cut her while she was at work in an ice cream stand, officers stated.

Patrolman Ben Susmann and T. B. Williams answered the call and after obtaining a description of King, went in search of him.

King then returned with a shotgun and, according to witnesses, killed her. The shooting took place in front of the girl's place of employment.

JUL 1 - 1943

Upon hearing the report of the gun the two officers hurried back to investigate. The woman was dead when they arrived and the officers caught King two blocks away.

An angry crowd gathered around the police car, and as Williams and Susmann got out of the car in search of witnesses, they shouted, "That's him, kill him."

One of the officers radioed headquarters for help, and with the arrival of assistance, Chief Roy Hyatt, Capts. Charlie Hartness and Dan Grant, the cruiser car and another car, the crowd disappeared.

37k-1943

Texas

7078

Texas Mob Talked Out Of Lynching

Chicago Defender
Chicago, Illinois

BEAUMONT, Texas — (ANP) — Only failure of a mob to have "the proper leaders" is believed to have averted the lynching Saturday of Curtis Thomas, 24, who allegedly raped an 18-year-old white girl "to keep from going to the army."

According to police, Thomas accosted the white girl Saturday morning, struck her with his fist, then dragged her to the rear of a parking plot where the assault took place. She was then allowed to leave and went to police headquarters where a posse was formed. Officers went to the scene where Thomas was still lingering. He ran, according to police, and was felled with bullets in the temple, arm and thigh.

Taken to Hotel Dieu hospital where he was not expected to live, he was placed under guard. A mob formed and went there to take Thomas but Police Chief Dickey and Captain White talked them out of it. Dickey said afterward the lynching did not materialize because of "lack of leadership." Thomas was later spirited away to an unknown destination.

It is said that Thomas did not want to go the army and told friends that by attacking a white woman he would "probably get killed" and that would solve his problem permanently.

JUN 19 1943

JUN 19 1943

JUN 19 1943

Afro-American
Baltimore, Maryland

Mob's "Lack of Leadership" Prevents Texas Lynching

BEAUMONT, Tex. — (ANP) — Failure of a mob to have "the proper leaders" may have averted the lynching Saturday, of Curtis Thomas, 24, accused of criminally attacking a white girl, 18, "to keep from going to the army."

JUN 19 1943

Negro Is Sought In Attempted Attack

Birmingham News

JAN 16 1943

An intensive hunt for two Negroes, one of whom attempted to attack an Ensley High School girl in her own front yard in Central Park and the other who attempted to snatch the purses of two young women on the Northside Friday night, was being made by police Saturday.

The 15-year-old high school girl, who lives on Court R, Central Park, was returning home from a picture show, according to Radio Patrolmen Ford and Richmond. She had started in the house when the Negro suddenly seized her. She fought him off screaming. The Negro slashed her with a knife on the chest. Relatives hearing the screams of the girl rushed out of the house as the Negro, described as being about 17 years of age, fled down the dark street.

The girl was not believed seriously injured, the officers said, and after being treated for a highly nervous condition, was put to bed at home.

Miss Hazel Busby, of 2324 13th Avenue, North, and Miss Lois Rogers, of No. 17 Norwood Circle, were on a Northside street en route home, according to Officers Hale and James, when a Negro walked up behind them and attempted to seize Miss Busby's purse. The two women called for help and the Negro fled from the scene.

A third Negro entered the Hill Grocery Company at 5501 First Avenue, North, while the store was still open late Friday afternoon and snatched some money from the store cash register. With store employes attempting to chase him the Negro made good his escape.

Court Denies Rehearing

Savannah, Ga.

To Men Charged With Rape

FEB 25 1943

Mobile, Ala., Feb. 19—The State Supreme Court overruled this week a motion for re-hearing of the case of Henry Daniels and Curtis Robinson sentenced to death here for allegedly raping a white woman. The re-hearing was sought by J. L. LeFlore, chairman of the regional conference of southern branches of the National Association for the Advancement of Colored People.

Robinson and Daniels are sentenced to die on March 26th. The re-hearing was sought on the grounds that the prosecuting attorney in making the opening statement to the jury did not confine himself to statements which were based on facts admissible in evidence and that prosecuting counsel asked witnesses many illegal questions at the trial.

New York Age

New York, N. Y

Ask Rehearing In Rape Conviction In Alabama

FEB 20 1943

MOBILE, Ala.—Motion for rehearing was filed this week in the case of Henry Daniels and Curtis Robinson, whose death sentences were confirmed by the Supreme Court of Alabama. The men, who allegedly committed rape on a white woman, are represented by Samuel W. Pipes. The defense is being directed by the Regional Conference of Southern Branches of the National Association for the Advancement of Colored People, of which J. L. LeFlore is chairman.

A rehearing is sought on the grounds that prosecuting counsel in making the opening statement to the jury did not confine himself to statements which were based on facts admissible in evidence and that prosecuting counsel asked witnesses many illegal questions at the trial.

FEB 20 1943

Additional grounds included in the motion are that there were statements put into the evidence which were injurious to the character of the accused men and the court admitted into evidence certain conversations between the accused men which were not parts of any crime and were not admissible as evidence.

Washington Tribune

Washington, D. C.

Alabama Court Denies Rehearing to Men Facing Death on Rape Charge

FEB 27 1943

MOBILE, Ala.—The State Supreme Court overruled this week a motion for rehearing of the case of Henry Daniels and Curtis Robinson, sentenced to death here for allegedly raping a white woman. The rehearing was sought by J. L. LeFlore, chairman of the regional conference of southern branches of the National Association for the Advancement of Colored People.

FEB 27 1943

Robinson and Daniels are sentenced to die on March 26. The rehearing was sought on the grounds that the prosecuting attorney in making the opening statement to the jury did not confine himself to statements which were based on facts admissible in evidence and that prosecuting counsel asked witnesses many illegal questions at the trial.

CONDEMNED NEGRO OBTAINS RESPITE

By United Press.

MONTGOMERY, April 23.—The life of Frank Johnson, 25-year-old Jefferson County Negro, has been spared at least until May 7 by order of Montgomery Circuit Judge Eugene Carter.

Johnson, sentenced to die in Alabama's electric chair early today for an alleged criminal attack on a Bessemer resident, won an automatic stay from Governor Sparks after Judge Carter yesterday afternoon granted a writ of habeas corpus returnable May 4.

Walter S. Smith, of Birmingham, the Negro's attorney, contended the facts on which Johnson was convicted did not constitute rape; that no Negroes sat on either the grand or petit juries which figured in his trial; that his confession was procured through brutality, force and coercion.

The chief executive held a clemency hearing for Johnson earlier yesterday but did not announce a decision when Smith made it clear he would continue court actions to save the Negro if the clemency plea were denied.

PM

New York, N. Y.

Supreme Court Stays Execution of 2 Negroes

APR 20 1943

Pic's Bureau

WASHINGTON, Apr. 20.—The Supreme Court has granted a stay of execution for Henry Daniels and Curtis Robinson, Mobile Negroes under sentence to die for allegedly raping a white woman.

Their attorney, Leon A. Ransom, asked for a Supreme Court review, charging that "confessions" were secured by the Mobile police through intimidation, beatings, prolonged questioning and threats of lynching.

Chicago Bee

Chicago, Illinois

Ask Rehearing Of Alabama Rape Case

FEB 21 1943

MOBILE, Ala., Feb. 18.—Motion for rehearing was filed here this week in the case of Henry Daniels and Curtis Robinson, whose death sentences were affirmed by the supreme court of Alabama. The men, who are charged with rape on a white woman, are represented by Samuel W. Pipes. The defense is being directed by the Regional Conference of Southern Branches of the National Association for the Advancement of Colored People, of which J. L. LeFlore is chairman.

A rehearing is sought on the grounds that prosecuting counsel in making the opening statement to the jury did not confine himself to statements which were based on facts admissible in evidence and that prosecuting counsel asked witnesses many illegal questions at the trial.

FEB 21 1943

Additional grounds included in the motion are that there were statements put into the evidence which were injurious to the characters of the accused men and the court admitted into evidence certain conversations between the accused men which were not parts of any crime and were not admissible as evidence.

The Southern Conference of Branches came to the aid of these men when they were first arrested.

BLACK REFUSES TO GRANT DEATH STAY

Savannah, Ga.

WASHINGTON, April 22—Associate Justice Hugo L. Black of the United States Supreme court Friday refused to act individually on a petition for stay of execution in behalf of Henry Daniels Jr., and Robert Curtis both of Mobile, Ala., who were convicted of criminally assaulting a white woman. They are under sentence to be electrocuted on April 23.

He referred the matter to the full court, which is expected to consider the matter at a conference and hand down a decision before the date set for the men's execution.

News

Birmingham, Ala

Bessemer Negro Denied Habeas Corpus Appeal

MONTGOMERY, Ala.— (AP) —A petition for a writ of habeas corpus by Frank Johnson, Bessemer Negro convicted of assault, was denied Tuesday by Judge Eugene Carter of Montgomery Circuit Court.

Defense Atty. Walter S. Smith, Birmingham, appealed the decision to the Alabama Supreme Court and said he would ask Gov. Chauncey Sparks to extend a reprieve from Thursday to a later date.

The governor granted a reprieve until Thursday pending the outcome of the habeas corpus petition heard Tuesday. Johnson is under a death sentence charged with attacking a white woman.

Montgomery Ala Advertiser

Montgomery, Ala.

May 4, 1943

Negro Attacker's Appeal Up Today

A plea for habeas corpus by Frank Johnson, Jefferson County negro at Kilby Prison convicted and sentenced to death for criminal assault on a white woman, will be heard today by Judge Eugene Carter.

Robert Redus, negro prisoner at Kilby, was denied a writ of habeas corpus yesterday in a hearing before Judge Walter B. Jones. Redus was given the death penalty in Limestone County for killing Bedford Brackeen, Athens policeman, on March 23, 1941.

In making the decision, Judge Jones held that all the questions relating to negroes not being on a new trial could not be gone into again. The petition declared that the defendant was not given a fair trial because negroes were excluded from the jury; that the verdict was written in red ink or pencil, indicating prejudice on the part of the jury; and that the defendant was denied his religious rights according to the Constitution because the solicitor was permitted to ask the jury members if they believed that the Bible taught capital punishment was contrary to the Bible.

The Governor has given Redus a reprieve till July 16. His attorneys, Walter S. Smith and Arthur Shores, stated that appeal would be made to the Alabama Supreme Court. The case has already been to the State Supreme Court which affirmed the Limestone County decision, and to the U. S. Supreme Court, which upheld the decision of the Alabama court.

The Scottsboro Boys--An Historic Battle for Justice

The Daily Worker
New York, N. Y.

Twelve years ago nine Southern boys were imprisoned—the victims of a frameup. The International Labor Defense, the Communist Party and influential Negro groups brought the true story of the case to the attention of America and the entire world. Demonstrations like the one shown at top left took place in thousands of cities and resulted in achieving freedom for four of the boys: Eugene Williams, Olin Montgomery and Willie Robertson (bottom left). Above, Earl Browder, general secretary of the Communist Party of the U. S., is pictured with the nine defendants outside the Southern prison in which they were confined.

APR 8 1943

America Must Redeem Its Pledge To the Scottsboro Boys!

APR 8 1943

Twelve years ago today a lynchers' band played a tune outside a courthouse in Scottsboro, Ala., and inside that courthouse eight young Negro boys heard a judge say, you'll die in the electric chair, a ninth Negro lad, younger than the rest, heard that he would spend all the days of his life in prison.

Would think the least it could have been was murder, but no it wasn't murder, it was RAPE they said. And only if you knew the deep South of our own United States and the men who controlled the politics and held down the people would you understand the word RAPE, because it's so different there. It's so different because it doesn't mean anything in fact, but it means everything symbolically. When the Nazis want to shoot a man or a woman or a child, they say he was trying to escape and when our Southern poll-tax gentlemen want to hang a Negro they say he raped a white woman.

APR 8 1943

These nine young boys who were to grow up in prison, pacing the death cell while other kids played football and basketball and went to movies and had friends, were the Scottsboro boys and five of them are still there.

APR 8 1943

The Scottsboro case is still one of the big and terrible blots on American history, like Dred Scott and Sacco and Vanzetti and Mooney and Billings and the others. It's a terrible blot still, because even though four Scottsboro boys were released six years ago, five more are still there, pacing prison cells and wondering what it's like to live outside.

And, no doubt, those five Scottsboro boys—Haywood Patterson, Andy Wright, Clarence Norris, Charlie Weems and Ozie Powell—have heard that there's a global war going on outside and that men of their color are giving their lives that civilization may live. And perhaps they're wondering if it wouldn't be a good idea that they be freed as a sort of proof to their people that democracy isn't like fascism and that the foe has nothing in common with anybody here in America.

APR 8 1943

You see the Scottsboro boys were already in prison when Hitler rose to power in Germany and all they ever knew was the racial oppression of the Negro people right here in our own America and the whole thing might be sort of confusing to them as well as to others like them.

APR 8 1943

Yes, five Scottsboro boys who were 14 and 17 and 19 and 20 years old when prison doors banged behind them and their duel with death began, are still in the Alabama State's Prison, wondering, no doubt, about what's different between the thing that Hitler does and the thing that was done to them.

APR 8 1943

Yes, America owes the Scottsboro boys an unpayable debt and a terrible apology—but their freedom would help a bit now, as a token to the Negro people that Hitlerism has nothing in common with us, that race oppression is on its way out.

Chicago Bee
Chicago, Illinois

Rape Case To Supreme Court; Claim Extortion

MAY 30 1943

WASHINGTON, D. C., May 27 (ANP)—Once again claim of an extorted confession in connection with an alleged rape has been made the grounds for an appeal to the United States Supreme court, this time in the cases of Curtis Robinson and Henry Daniels Jr., vs., the state of Alabama. The appeals were made and briefs filed in their behalf by the NAACP last Monday.

Thurgood Marshall and Dean Leon A. Ransome of the Howard university Law school are counsel in the case.

The two boys are charged with having raped a white woman,

MAY 30 1943

The appeal to the Supreme court of Alabama was lost on January 28, 1943, and date of execution was set for March 26. A motion for a rehearing was denied the boys on February 18, and date of execution pending

Monday refused to review the conviction of Henry Daniels, Jr., and Curtis Robinson, who are under sentence of death for criminally assaulting a white woman in Mobile, Alabama.

MAY 24 1943

A stay of execution granted the two men by the Supreme Court on April 19 was vacated. The men were to die on April 23. A new date for their execution will have to be set by the trial court. The offense charged was alleged to have taken place on August 19

Attorneys for the condemned men contended that the conviction was influenced by a confession obtained "by force and intimidation i. e., beatings, threats of lynching etc., and prolonged questioning."

MAY 30 1943

Zeola Mae Armstrong, in Mobile, Ala., on August 19, 1941, granted another was allowed. They were tried, convicted and still sentenced to death by the state when Attys. Marshall and Ransom Circuit court on November 22, some entered the case. Counsel for the defendants charge that the boys were beaten and tortured in order to secure a confession. Further, this alleged confession was admitted in evidence without the court informing the defendants of their rights. After their arrest

Supreme Court Refuses Review Alabama Rape Case

WASHINGTON, D. C. — The United States Supreme Court has

7080

News
Birmingham, Ala.

Clemency Hearing Scheduled For Negro

APR 20 1943

APR 20 1943

MONTGOMERY, Ala. — Frank Johnson, 30, Bessemer Negro, who is scheduled to be executed Friday, exactly two years to the day from the date on which he was convicted of criminal attack, will be given a clemency hearing Thursday before Gov. Chauncey Sparks.

APR 20 1943

Johnson was convicted April 23, 1941, of attacking a white woman in Bessemer. He is alleged to have broken into a house and held a gun on the woman's husband while he committed the criminal act. Several other charges of attempted attack and house breaking are pending against Johnson.

Johnson has obtained several stays of execution through appeals of his case to the State Supreme Court, which affirmed the conviction, and through a habeas corpus appeal to the United States Court and to the Court of Appeals at New Orleans, both of which were denied.

APR 20 1943

Advertiser
Montgomery, Ala.

Sparks' Mercy Off As Long As Litigation Is On

APR 23 1943

Tells Negro's Lawyer To Get Through With Courts First

APR 23 1943

Gov. Chauncey Sparks said yesterday that in future when a man condemned to die came before him with a plea for executive clemency, he intended to make sure that the prisoner was through litigating in the courts, before hearing the plea.

Gov. Sparks made this announcement yesterday as result of the attitude of Walter Smith, of Birmingham, attorney for Frank Johnson, Bessemer negro who was slated to die in the electric chair at Kilby early Friday morning, but whose execution was deferred by another of those last-minute court proceedings which have become commonplace in Alabama of late.

Johnson had asked a "clemency hearing" before Gov. Sparks, which was set for Thursday morning. Attorney Smith appeared at the hearing on behalf of his client, and frankly told Gov. Sparks that if he did not commute the death sentence, Smith would take further legal action.

APR 23 1943

Gov. Sparks took no action on the plea for commutation, and the resourceful Smith went into Montgomery circuit court Thursday afternoon with petition for a writ of habeas corpus, which Judge Eugene Carter set for hearing May 4. After being notified of the court's action, which itself had the effect of staying the execution, Gov. Sparks reprieved Johnson until May 7.

Johnson, sentenced to die two years ago for criminal assault upon a white woman, has had his case carried all the way to the U. S. Supreme Court once. After his appeal was rejected there, he went into Federal district court here a year ago with petition for writ of habeas corpus, which was turned down, a decision affirmed by the U. S. Circuit Court of Appeals. Now he is back in court, this time in State court, on another habeas corpus petition.

Obviously irked by the "or else" attitude of Attorney Smith in asking for commutation with the threat of more court action if not granted, Gov. Sparks said that in future he would expect defense counsel to get their "lawing" over with before coming to him with a commutation plea.

APR 23 1943

Chicago Bee
Chicago, Illinois

Dixie Court Denies Appeal In Rape Case

FEB 28 1943

MOBILE, Ala., Feb. 25.—The State Supreme court overruled this week a motion for re-hearing of the case of Henry Daniels and Curtis Robinson sentenced to death here for allegedly raping a white woman. The re-hearing was sought by J. L. LeFlore, chairman of the regional conference of southern branches of the National Association for the Advancement of Colored People.

FEB 28 1943

Robinson and Daniels are sentenced to die on March 26. The rehearing was sought on the grounds that the prosecuting attorney in making the opening statement to the jury did not confine himself to statements which were based on facts admissible in evidence and that prosecuting counsel asked witnesses many illegal questions at the trial.

FEB 28 1943

Mobile, Ala., Register
April 17, 1943

Doomed Mobile Negroes Appeal To U. S. Court

WASHINGTON, April 16.—(UP) Supreme Court Justice Hugo L. Black, refusing to act individually, today referred to the full court a petition for stay of execution in behalf of Henry Daniels, Jr., and Robert Curtis, Mobile negroes convicted of raping a white woman. They are under sentence to be electrocuted April 23.

The court is expected to consider the petition at a conference tomorrow and hand down a decision later, probably next week.

The defendants were charged with rape on August 19, 1941, in Mobile and subsequently convicted in Mobile County Circuit Court. The Alabama Supreme Court denied an appeal.

The petition brought before Black was filed to pave the way for a later petition seeking reversal of the conviction. Leon A. Ransom of Mobile, counsel for the negroes, asserted the defendants were induced to make confessions by beatings, threats of lynching and prolonged questioning.

Clayton, Ala., Record
May 21, 1943

Negroes Lose Review Of Death Sentence

WASHINGTON—Curtis Robinson and Henry Daniels, Jr., Negroes convicted of raping a white woman at Mobile, Ala., and sentenced to death, failed Monday to obtain a Supreme Court review.

They were sentenced to die last April 23, but the Supreme Court granted a stay of execution to permit them to file their appeal. They were convicted in the Mobile County circuit Court and the decision was upheld by the Alabama Supreme Court.

The offense charged was alleged to have taken place on August 19, 1941.

They contended, through their attorney, that the conviction was obtained through a confession produced by "force and intimidation, i. e., beatings, threats of lynching, etc., and by prolonged questioning."

Birmingham, Ala. News
May 18, 1943

Review Of Attack Case Denied By U. S. Court

Curtis Robinson and Henry Daniels, Sr., Negroes, must die for the charge of attacking a white woman at Mobile August 19, 1941. They failed Monday to obtain a United States Supreme Court review.

The Negroes were sentenced to dies last April 23 after their conviction in the Mobile Circuit Court and the decision was upheld by the Alabama Supreme Court. A stay of execution was granted by the U. S. Supreme Court to permit them to file an appeal.

The attorney for the pair contended that the conviction was obtained through a confession produced by "force, and intimidation, i.e. beatings, threats of lynching, etc., and by prolonged questioning."

Chicago Defender
Chicago, Illinois

Take Rape Case To Higher Court

MAY 22 1943

WASHINGTON—(ANP) — Once again claim of an extorted confession in connection with an alleged rape has been made the grounds for an appeal to the United States Supreme court, this time in the cases of Curtis Robinson and Henry Daniels, Jr., vs. the state of Alabama. The appeals were made and briefs filed in their behalf by the N.A.A.C.P. last Monday.

Thurgood Marshall and Dean Leon A. Ransome of the Howard University Law school are counsels in the case.

MAY 22 1943

The two boys are charged with having raped a white woman, Zeola Mae Armstrong, in Mobile, Ala., on August 19, 1941. They were tried, convicted and sentenced to death by the state circuit court on November 22, 1941.

The appeal to the supreme court of Alabama was lost on January 28, 1943, and date of execution was set for March 26. A motion for a rehearing was denied the boys on February 18. A stay of execution pending an appeal to the high court was granted to April 23, however, and still another was allowed when Attys. Marshall and Ransome entered the case.

Montgomery, Ala., Advertiser
April 20, 1943

Supreme Court Grants Negroes Execution Stay

WASHINGTON, April 19.—(AP)—The Supreme Court granted today a stay of execution for Henry Daniels, Jr., and Curtis Robinson, negroes convicted of assaulting a white woman at Mobile, Ala., and sentenced to die on April 23.

A stay was sought to give time for filing a petition for a review of an Alabama Supreme Court decision upholding the conviction in the Mobile County Circuit Court.

The offense charged was alleged to have taken place on Aug. 19, 1941.

They contended, through an attorney, that the conviction was obtained through a confession obtained "by force and intimidation, i.e., beatings, threats of lynching, etc., and by prolonged questioning."

37 1943
Afro-American
Baltimore, Md.

White Girl's Attack Story Flops; Game Frees Suspect

JAN 23 1943

WASHINGTON

Proving to the satisfaction of a jury that he was playing cards at the time he was alleged to have attacked a white deaf and dumb girl resulted in freedom for James R. Campbell, 445 Delaware Street, Southwest, on Wednesday.

Emory Smith, lawyer for Campbell, told the jury of ten men and two women—one colored—that Campbell was not the guilty man.

JAN 23 1943

He produced evidence to show that Campbell was playing cards on August 28, 1942—the night of the alleged attack—in Northwest Washington, while the attack occured in Northeast.

Washington Post
Washington, D. C.

Jury Weighs Death Penalty In Rape Case

MAR 16 1943

The District Court jury trying Leonard Augustus Saunders, 41, Negro, on charges of criminally assaulting a 17-year-old waitress, recessed for deliberations at 4 p. m. yesterday after hearing United States Attorney Edward M. Curran demand the death sentence.

Saunders was arrested last January and charged with the rape of a girl, who worked as a waitress in the same Connecticut Avenue restaurant where he was employed as a dishwasher. The trial started Wednesday before Justice Alfred A. Hodkins.

Defense Attorney Charles Houston contended in his closing arguments that the identification of Saunders was too faulty to justify a verdict of guilty. He contended a clear identification could be shown.

MAR 16 1943

He also declared that the night the assault took place Saunders wore a cap instead of the brown hat the police said he had on and that Saunders had never left the restaurant during the time in which the assault is said to have taken place.

MAR 16 1943

United States Attorney Curran told the jury that the assault could easily have taken place within the half hour to 40 minutes Saunders was said to have been away from his work because the girl's home was only half a block from the restaurant; that Saunders had remarked earlier that evening what a "pretty doll" the girl was; that during the investigation he admitted that he had left the restaurant for a short time, but only to buy whisky and that the waitress positively identified Saunders.

Washington Post
Washington, D. C.

Saunders' Defense In Rape Case Ends Argument Monday

MAR 13 1943

The defense will conclude its arguments Monday in the trial of Leonard Augustus Saunders, 41, Negro, charged with the rape of a 17-year-old waitress who was employed in the same Connecticut Avenue restaurant where Saunders worked as a dishwasher.

Yesterday Saunders took the stand and categorically denied the Government's charge that he learned the girl's address at the restaurant and assaulted her in the vestibule of her rooming house, on the night of January 28.

MAR 13 1943

During yesterday's proceedings Saunders admitted that he had told a police officer that he was absent from the restaurant during the time the assault is alleged to have occurred but added that he only said this to prevent further questioning on the point. Under direct examination he testified that he had never left the restaurant during this time but had rested for a half hour or so in one of the back rooms because he was not feeling well.

Washington Post
Washington, D. C.

Police Say Youth Has Confessed Attacking 2 Girls

MAR 19 1943

A 17-year-old Negro yesterday confessed to police the attack upon a 26-year-old FBI stenographer Wednesday, and the attempted rape of an 18-year-old Navy Department clerk yesterday.

He was seized early yesterday by Detective Sergts. John A. Caton and A. L. Embrey near Seventeenth and N Streets Northwest, as he fled the scene of the second assault. The detectives were responding to investigate the case.

MAR 19 1943

The Navy Department employe was awakened shortly before dawn when the man put his hands on her and started to get into her bed. He became frightened by her screams and ran from the room.

Wednesday's attack occurred at Eighteenth Street and Wyoming Avenue Northwest, as the stenographer was going to work. She was beaten and choked and thrown to the sidewalk. She identified the youth as her attacker.

MAR 19 1943

Last night police were questioning the suspect in connection with similar cases recently.

Cleric Accused of Attack on 2 Girls, 8 and 11

Afro-American
Baltimore, Maryland

WASHINGTON

The Rev. William Clarke, 40, of the [redacted] block Florida Avenue, Northwest, was liberated on $5,000 bond Saturday in municipal court by Judge Walter J. Casey after two girls between 8 and 11 years of age testified that he had criminally assaulted them.

Judge Casey, who heard the case, ordered the minister held, notwithstanding testimony of a Gallinger Hospital physician that his examination of the girls showed no signs of physical attack.

The girls testified that on August 29, one of them was given a pre-arranged signal by the minister to be used when they saw him reading the Bible on his porch. Then they would go around to the back of his home and [redacted] a wood shed [redacted] they said he would assault one while the other stood watch.

Spend Cash for Ice Cream

After allegedly admitting that the girls were too young and advising them that he had better leave them alone, he allegedly changed his mind, the girls said, adding that he gave them ten cents each and they bought ice

ATTACK CASE IN U. S. COURT

Pittsburgh, Pa. Courier

7081

WASHINGTON, May 20 (ANP)—Once again a claim of an extorted confession MAY 24 1943 connection with an alleged criminal assault has been made the grounds for an appeal to the United States Supreme court, this time in the cases of Curtis Robinson and Henry Daniels Jr., vs. the State of Alabama. The appeals were made and briefs filed in their behalf by the NAACP last Monday.

Thurgood Marshall and Dean Leon A. Ransom of the Howard University Law school are counsel in the case.

The two boys are charged with having attacked a white woman, Zeola Mae Clarke, in Mobile, Ala., on August 18, 1941. They were tried, convicted and sentenced to death by the State Circuit court on November 22, 1941.

MAY 29 1943

cream with the money.

While Mrs. Clarke, wife of the minister, was allegedly away from home on a vacation with her children, some persons entered the minister's home and destroyed many of his effects. It was this act which brought the whole affair to light, it is said.

When the minister started an investigation of the housebreaking, it is reputed, the children began talking. Their mothers were ignorant of the alleged attack until one of them was questioned by relatives, who in turn, notified the parents, who swore out a warrant for the minister's arrest.

37-L-1943

7082

Chicago Bee
Chicago, Illinois

No Negroes On Jury Quash Rape Charge

JAN 24 1943

TALLAHASSEE, Fla., Jan. 21—Will Lewis of Escambia County who was indicted on a charge of rape last May, charged with having assaulted a white woman, found his indictment quashed by the state supreme court here Friday on the grounds that Negroes had been systematically excluded from the grand jury.

Justice Glenn Terrell, delivering the decision, pointing out that federal court rulings had held that the practice of excluding Negroes from jury service was a violation of their constitutional rights.

Washington Tribune
Washington, D. C.

NAACP Seeks Rehearing On Florida Rape Case

A petition for rehearing of the case of Edgar Flowers, convicted of rape in Florida, was filed this week in the United States Supreme Court. The petition stated that the alleged confession was procured under duress and the petition said, before Flowers had received the advice of friends or counsel.

Daily World
Atlanta, Georgia

Criminal Assault Charged To Man

MAY 15 1943

A man listed as Roy Williams, 34, of rear-440 Irwin Street, apartment seven, was reported under arrest Friday booked on suspicion of attempted rape and aggravated assault several days ago by a 25-year-old woman.

The woman made the report to police 15 days after the incident is alleged to have occurred. She was quoted as saying the suspect threw her down, breaking her leg and then attempted to rape her.

Following the attack she said she went to Grady hospital where she was admitted.

SOLDIER FREED OF RAPE, GOES BACK TO ARMY

Chicago Bee
Chicago, Illinois

COLUMBUS, [illegible] 27—Charles Stout, soldier, who was acquitted on May 10 by a Muscogee County jury of a rape charge has now returned to the Army, the NAACP revealed this week.

Stout, a quiet, mild-mannered New York man, did not wait to be drafted, but enlisted in the U. S. Army because he said he "wanted to be among the first fellows to land on Europe and begin the ending of social injustices."

Claibourne Stout, a brother of Charles, also in the army and stationed at Fort Dix, on learning of the acquittal of his brother, wrote the NAACP: "I know that your office is directly responsible for this disposition. My family and friends are grateful and deeply indebted to you for this service. May all your efforts in behalf of people be as successful."

During the trial the state made out against Stout a clear case of assault and intent to rape. The alleged victim was a fifty-year-old white woman who positively identified Stout as having assaulted her. She testified that it was necessary for her to work at a local textile plant until 12 o'clock at night and that she had to travel by foot several blocks to get home. She said that one night a man followed her for a distance and finally overtook her, grabbed her and forced her into an alley saying "Don't you holler or I will kill you." She testified that he repeated his threat several times. When she screamed he released her and she fled.

MAY 30 1943

Following the arrest of Stout the NAACP came to his aid and Ernest C. Button, Columbia attorney was assigned by the association to the case.

Throughout the trial Stout had the cooperation of his superior officers. Counsel for Stout was able to point out many inconsistencies in the alleged victim's testimony. The jury acquitted the soldier of the charge and he was immediately released to return to his duties in the United States Army.

Rape Story Is Proved False

AUG 25 1943

A well-worded statement made by a white woman to the effect that she had been raped by a Negro early Monday night, turned out to be absolutely false.

Atlanta, Georgia

In a signed statement the woman claimed that she was criminally attacked by a Negro on Peter Street, who she said, hit her several times on the head and face, before forcing her behind a lumber yard.

Daily World

The officers who investigated the case carried the woman to Grady Hospital, where she was treated for bruises on the face and head, but the doctor found no evidence of rape.

AUG 25 1943

Later the officers found out that the victim had visited a Peter Street filling station. An employee of the filling station told the officers that she came to see him, but found another woman there and they got into a fight. The statement about the rape the filling station attendant said was untrue.

Cecil Clarke Is Indicted By Jury

Daily World
SEP 8 1943
Atlanta, Georgia

Cecil Clarke was indicted on charges involving rape, robbery and burglary by the Fulton grand jury Tuesday. Accused of criminally attacking a Fraser Street woman, Clarke also was named in bills charging that he robbed Lilly Mae Smith of twenty-five cents and burglarized the home of George Rozier, taking three bottles of homebrew and two soft drinks on August 1.

James C. McIntosh was indicted in the burglary of the home of the Rev. William G. Bivins and for assault with intent to murder Will Dowdy.

Others indicted by the grand jurors included Lidia Holloway and Corine Morris, obscene language; Willie Ferrell, opbrobrious words, and Eugene Goosby, burglary.

Peoples Voice
New York, N. Y.

World War I Vet Believed Lynched

CEDARTOWN, Ga. (ANP) — Belief is widespread in this community that Pleas C. Grant, a veteran of World War I, who mysteriously disappeared from the county jail here, has been lynched and his body left for carrion birds in the nearby woods.

Grant was arrested last March 21 on a warrant sworn out by a white woman charging him with attempted rape. The woman, who failed to identify Grant as her assailant, claimed that a man, whose racial identity she did not know, grabbed her from behind on March 31, and instantly released her after she screamed.

Another White Woman Exposed As Liar in 'Rape' Complaint

Call
Kansas City, [illegible]

ATLANTA.—(ANP)—A detailed statement to police made by a white woman to the effect that she had been raped by a "big, black burly Negro" early Monday night, upon investigation by police proved to be absolutely false.

In a signed statement the woman claimed that she was criminally attacked by a man, whom she said, hit her several times on the head and face, before forcing her behind a lumberyard.

The officers who investigated the case carried the woman to Grady hospital where she was treated for bruises on the face and head, but examining doctors found no evidence of rape.

SEP 8 1943

Later the officers found out that the victim had visited a Peters street filling station. An employee of the station told officers that she had come to see him, but found another woman there and that the two women got into a fight.

The statement about rape, the filling station witness said, was absolutely without foundation.

Youth Acquitted Of Rape Charge

Daily World
SEP 8 1943
Atlanta, Ga.

COLUMBUS, Ga. (ANS)— Cecil Jackson, 16-year-old Negro, was acquitted of a rape charge Thursday by a Muscogee superior court jury.

Jackson was accused of assaulting a white woman last June. The jury held there was insufficient evidence to identify the youth with the alleged attack.

AUG 27 1943

Chicago Tribune
Chicago, Illinois

POSSE OF 50 SEARCHES 20 MILE WOODLAND FOR ACCUSED RAPIST

JAN 5 - 1943

Mound City, Ill., Dec. 28 (AP).—A posse of 50 state highway police and deputy sheriffs today searched a 20-mile square wooded area between Mound City and Villa Ridge for a Negro sought after an alleged attack on a white woman.

The Negro, a 32-year-old farm hand, has been sought since Christmas day when the wife of his employer identified him as the man who attacked her in her home near Villa Ridge.

JAN 5 - 1943

Sheriff I. J. Hudson said the fugitive had been sighted twice.

Free Soldier On Trial For Attempted Rape

APR 18 1943

A case of mistaken identity was the decision of Judge Donald S. McKinley, Friday, who acquitted James Shackleford, 1308 W. 14th Place, of attempted rape. Shackleford was charged with criminally assaulting Agena Suran, 3741 West 26th street, white, on the morning of Feb. 1.

APR 18 1943

Shackleford was represented by Atty. Christopher C. Wimbish, whose adroit questioning of witnesses won his client's freedom. Shackleford, the woman stated, attempted to rape her, threatening her with a knife at 22nd and Blue Island avenue.

APR 18 1943

Judge McKinley's decision was based on testimony which proved that the accused man could not have been near the scene of the attempted rape. Witnesses in his behalf, including his brother, Frank Shackleford and John Hospodar, owner of a restaurant in which he ate every morning, attested to this fact.

APR 18 1943

Hospodar stated that the defendant ate in his restaurant every morning about six o'clock the assault allegedly took place, and that he fixed his lunch for him. Frank Shackleford stated that he had accompanied his brother to work, to apply for a job. He said he left him at the employment office to go across the street to eat his breakfast and have his lunch fixed.

New York Times
New York, N. Y

2 WOMEN RAPED AND 2 ATTACKED; ONE IS KNIFED

JUN 27 1943

Police thruout Chicago searched yesterday for Negroes who raped two women and tried to assault two others Monday night.

A 33 year old mother was raped near 4324 South Richmond street a short time after a 19 year old war plant worker, returning home, was attacked in front of 4344 South Artesian avenue. The younger woman reported her assailant slashed her left hand with a knife as she fought him off.

A third woman, 26 years old, was raped by a Negro who pulled her into an alley at 3929 Roosevelt road. A fourth, [illegible] years old, was robbed of $16 and kicked in the face by a Negro who seized her in front of 7339 South Oakley avenue.

APR 2 1943

Chicago Bee
Chicago, Illinois

CAB DRIVER RAPIST IS CAPTURED

MAY 2 1943

William Saunders, 31-year-old cab driver, was shot and apprehended by the police Monday after criminally assaulting Miss Willa Dupree, 28, 5951 Michigan avenue.

Miss Dupree stated that she entered the cab as a passenger at 35th and Michigan and was threatened by Saunders and forced to remain in the [illegible] until they arrived at a vacant lot at 6141 Calumet when he climbed into the back seat and raped her.

MAY 2 1943

He was shot in the neck and jaw by Officers McCay and Nolan of the Fifth District as he attempted to escape. When taken to Bridewell hospital Saunders' wounds were said to be serious. The two officers were cruising down the street in the squad car and were allegedly attracted to the scene by the sight of the cab in the empty lot.

Chicago Bee
Chicago, Illinois

Rape Suspect Under $180,000 Bond in Attacks

Hysterical women lunged at 6 foot, 3 inch James Fortson in the police showup room Tuesday and attempted to pummell the 28-year-old rape suspect, whom police stated confessed to criminally assaulting between 25 and 30 women in the South Side area.

JUN 27 1943

Fortson, who gave his address as 444 E. 46th street, was captured Saturday in a wild police chase, during which five shots were fired. He was booked at the Maxwell street station on 18 charges of rape, assault and robbery after 18 white women had identified him, charging he was the man attacking them.

One of the women, Ruth Lakus, 1645 W. 21st Place, pointed out Fortson at the showup as the man who tried to rape her as she returned home from her defense job. Her husband, also present, added further color to the showup by lunging at Fortson as he was being led from the room. Police restrained him, however.

JUN 27 1943

Fortson's bond was set at $180,000—$1,000 on each charge.

Chicago Tribune
Chicago, Illinois

SEIZE KIDNAPER WITH GIRL, 22, ON SOUTH SIDE

DEC 13 1943

Caught After a Series of Hotel Holdups.

Policemen John Holden and Francit Quinn of the Woodlawn station yesterday arrested Robert Simpson, 25 years old, 3012 East 89th street, as he sat in a South Side restaurant with a [illegible]-year-old girl he had kidnaped and attacked a short time earlier after a round of hotel robberies.

The girl, Irene Sudaz, 22 years old, a defense worker, was in a state of collapse when the policemen seized Simpson. She had been abducted from the Kenrose hotel, at 6417 Kenwood avenue, where Simpson took $51 from W. J. Poirer, the night clerk.

She told police that she had walked into the lobby when the holdup was in progress. Simpson, she said, turned to her and said: "Stay right where you are if you don't want to be shot. You're going with me."

Taken [illegible] street.

He held his hand in his pocket as tho he was concealing a revolver, she said, and forced her to accompany him out on the street where he hailed a cab.

Then, she said, they went to three or four hotels where he tried to engage rooms, but was unsuccessful.

Finally he dismissed the cab and took her into an alley off Stony Island avenue between 68th and 69th streets, she said, where he attacked her.

Simpson threatened to kill her unless she accompanied him to a restaurant, Miss Sudaz told police. They went into the Sisters restaurant at 6702 Stony Island avenue, where, she said, he continued to menace her with the gun hidden in his pocket.

Too Frightened to Eat.

Holden and Quinn, who had heard a police radio description of Simpson, supplied by one of the hotels he had robbed, recognized him as he sat in a booth with the girl, who they caw was too frightened to eat the food before her.

At the Woodlawn station, police said that, [illegible] to abducting the girl Simpson had robbed clerks of two other hotels. They were the Royalton, 6215 University avenue, where he obtained $20 from Mrs. Jessie Lull, and the Kimbark hotel, where he took $106 from Otto Retters, night manager.

Chicago Tribune
Chicago, Illinois

YOUNG MOTHER MENACED WITH KNIFE AND RAPED

DEC 13 1943

A Negro, who broke into her bedroom by removing a screen, raped Mrs. Ann Burther, 23 years old, 930 East 42d place, an expectant mother, Monday night and threatened to kill her with a knife if she screamed or resisted, Mrs. Burther reported to Hyde Park police. She was taken to Michael Reese hospital.

Mrs. Burtner said the intruder awakened her by prodding her with the knife. When Mrs. Burtner's year old child, Dorothy Ann, cried, he demanded that Mrs. Burtner quiet her or he would kill the child. Before leaving he took [illegible] Burtner's purse from a dresser. Mrs. Burtner's husband, Clifford, an interstate truck driver, was at work.

Hyde Park police said the Negro is probably the same one who Friday raped [illegible] Thelma Carter, 33, 6732 Cottage Grove avenue, who was sleeping in a first floor apartment.

Chicago Tribune
Chicago, Ill.

SOLDIER TURNED OVER TO POLICE ON RAPE CHARGE

NOV 11

Lewiston, Ill., Nov. 10 (AP).—Brig. Gen. George E. Hardtman, commander of Camp Ellis, said today a Negro soldier who had confessed raping a farm wife in the vicinity had been turned over to the civil authorities for prosecution.

Gen. Hardtman said the prisoner, Pvt. Morris Nichols, 19 years old, of Cincinnati, O., had been taken to the county jail here and the case turned over to State's [illegible] Lachlan Crissey.

NOV 11

The woman was raped Nov. 4. Early Monday another Negro soldier found in the rape victim's home, Pvt. Hollie Willis of Chicago, was slain by one of four farmers. A coroner's jury returned a verdict of justifiable homicide.

Chicago Tribune
Chicago, Illinois

Police Hunt Attacker of Woodlawn Woman

Police of the Woodlawn district said they were searching yesterday for a Negro who climbed thru the window of a first floor apartment and attacked a 33 year old white woman. The woman, whose husband was at work, said she was asleep when the man entered and threatened her with a razor. He forced her to go into another room, where he attacked her. He did not molest her daughter, 8 years old.

Chicago Tribune
Chicago, Illinois

IDENTIFIED BY 2 AS RAPIST; HELD FOR GRAND JURY

NOV 27

After being identified by two married women whom he is accused of raping, Samuel Wright, 19 years old, a Negro, was ordered held to the grand jury yesterday under bonds totaling $80,000 by Judge John T. Zimis in Boys' court. He was held on five charges of robbery, two of rape, and one of assault to rape. Wright, who habitually wore white canvas gloves when entering a home to avoid fearprints, was arrested on [illegible] two weeks ago when he was seen with the telltale gloves sticking out of his back pocket. He has confessed 15 burglaries, four rapes, and one [illegible] snatching.

Chicago Tribune
Chicago, Illinois

UNINSURANCE MAN HELD AS RAPER ON GIRL'S CHARGE

DEC 27

Edward A. Mizel, 48 years old, 1438 Lunt avenue, an insurance [illegible] that Mizel called at her Sheridan road apartment. She said she paid a deposit on a premium, and that Mizel insisted on a physical examination and then attacked her.

Held at the same station was a [illegible] A. Starks, 52, of 430 [illegible] avenue, employed at an [illegible] 6317 Kenmore avenue, [illegible] rape on complaint of [illegible] woman living in the [illegible] avenue police yesterday on a [illegible] rape preferred by an employe of Negro, Dock A. [illegible] agent, was held by Summerdale [illegible] the federal treasury department. Bowen [illegible] avenue, [illegible] The girl, 18 years old, said she an [illegible] apartment at 6317 [illegible] swered a radio program with a re [illegible] charged with rape [illegible] quest for insurance information and [illegible] a married woman [illegible] building. The woman, who is 26 years old [illegible] Negro entered her apart [illegible] afternoon, ostensibly [illegible] window, and attacked [illegible] Sunday [illegible] to wash the win [illegible]

371-1943

Indiana

7085

Woman Reports Being Attacked And Robbed

Mrs. Katrine Barnes, 29, of 218 [illegible] 28th, told police she was slugged, criminally attacked and robbed at 1:30 p.m. yesterday by a Negro who grabbed her as she crossed a field near her home.

She was severely beaten. Mrs. Barnes said the Negro jumped out from behind a clump of bushes and hit her in the face, knocking her down. She said she lost consciousness for a short period but awoke and fought her assailant. After the attack, Mrs. Barnes told police the Negro robbed her of a wrist watch valued at $12, and her glasses.

She said the man bound her mouth with a rag and threatened to kill her if she screamed. She was returning from a part-time job at a grocery at 30th and Walnut.

She was treated at General Hospital. Her condition was not regarded as serious.

JUN 29 1943

KENTUCKY

7086

371-1943

Daily World
Atlanta. Georgia

Man Is Charged With Rape Of Stepdaughter

FEB 8 1943

LOUISVILLE, Ky.—(SNS)—J. L. Bowman faces the grand jury Feb. 5 on the serious charge of rape of his 12 year old stepdaughter. Two offenses are named in the girl. Mrs. Julia Bowman, 11 Oldham, wife of the man and mother of the girl also charged felony against him.

Daily World
Atlanta. Ga.

Woman Charges Pair With Attempted Attack

FEB 9 - 1943

LOUISVILLE, Ky.—(SNS)—Miss Lorraine Johnson, 23, 1708 Magazine charges two men with attempted rape and they were to the grand jury. The men are Sam Page, 1628 W. Walnut and James Gross, 533 S. 17th. The offenses took place January 17 when they met in a saloon at 16th and Madison. After offering her money to go with one or both of them they pulled her out to a car, she says. When she fought so hard Page is alleged to have apologized and let her go. Then says Gross dragged her down the street and tore her clothes nearly off. Neighbors heard her screams and soldiers ran to her rescue. Gross fled but was arrested when she took warrants for both. FEB 9 - 1943

Courier-Journal
Louisville. Ky.

Police Say Man Admits Raping Woman

MAY 28 1943

Previous Attempt Also Confessed

MAY 28 1943

A [illegible] grilling by police detectives brought a confession at 3 p.m. yesterday from Howard Perkins, 21, Negro, 917 S. Jackson, that he beat and criminally assaulted a white woman in her apartment early Sunday morning and attempted to assault another white woman in her yard May 16.

Perkins was identified by one woman as the Negro who grabbed her while she was working in the backyard of her home. He fled when she screamed for help.

Capt. Oda Pate, chief of detectives, said Perkins confessed that he entered the apartment of another woman on East College Sunday and beat and assaulted her. She told police she fainted during the attack and could not identify the man.

Cinders found in the bed led to Perkins' arrest yesterday by Detectives George Johnson, Elmer Kessinger and W. O. Baxter. The officers said Perkins had worked for the woman Saturday and had handled cinders. They said he was a ward of the State of Kentucky and drew $5 a month from the State.

Charges placed against the Negro include rape, malicious assault and detaining a woman.

Courier-Journal
Louisville, Ky.

Man Held On Rape, Armed Robbery Charges

Benton Connors, 27, Negro, 1916 rear S. Brook, was arrested on charges of rape and armed robbery late yesterday on the complaint of a 33-year-old white woman who charged he entered her home through a window, carrying a gun, and criminally assaulted her.

Courier-Journal
Louisville, Ky.

3 Youths Held to Jury On Charges of Rape

DEC 9

Three [illegible]-year-old Negroes were held to the grand jury in Police Court yesterday on charges of raping a white girl, 17, in a vacant lot on 21st near Main Monday night.

Police said the trio admitted accosting the girl with intent to rob her, as she was en route home from a show, but denied criminal assault. The three, held without bond, are [illegible] T. Smith, 445 S. 21st; William Nichols, 2812 [illegible] and Richard Howett, 3415 Missouri.

DEC

37L-1943 Louisiana

7087

Lawrence Mitchell Richard P. Adams I. W. Bordenave

Court Of Appeals Hears Habeas Corpus Plea For Soldier Waiting For Chair

New Orleans, La.—Arguments on the petition for habeas corpus in the cases of three colored soldiers convicted on a rape charge were heard here February 10 by the U. S. Circuit Court of Appeals for the fifth circuit with Judges Sibley, Holmes, and McCall sitting. FEB 19 1943

The hearing was on the order to show cause why the writ, served on Warden Ryan of the Federal Detention headquarters should not be issued.

U. S. Attorney LaFargue, who convicted the three men, represented the warden and argued that the court did not have jurisdiction to issue the writ. NAACP Special Counsel Thurgood Marshall cited a late case, Adams v. Warden, (87 L. Ed. 209) where the U. S. Supreme Court held the CCA could issue a writ where an appeal was pending if such an act was necessary to maintain its jurisdiction over the case. In the present case an appeal is pending. FEB 19 1943

The court decided to take the matter under advisement. The three soldiers, Lawrence Mitchell, John Bordenave and Richard P. Adams, were convicted of criminal attack on a white woman last summer. The trial was held in a federal court. NAACP lawyers were called into the case after the conviction to carry on the appeal. Their petition for a habeas corpus writ (which would free the men) is based on their contention that the United States government, technically, had no jurisdiction in the first instance, and that the conviction of the men in a federal court was illegal. FEB 19 1943

The soldiers, Laurence Mitchell, John Bordenave and Richard P. Adams were convicted of criminal attack on a white woman last summer. The trial was in federal court. The only evidence that the government presented at the trial was the fact that the land was purchased by the U. S in December, 1940, and was being used as a military reservation. There appears no federal statute establishing federal jurisdiction over this land. MAY 1 1943

Marshall argued further that the men are under sentence of death and are entitled to the benefit of every safeguard offered by the law and should be tried in a court having jurisdiction over the crime.

Seeks Supreme Court Ruling In Soldier Rape Case

MAY 18 1943

NEW ORLEANS, La., Apr. 15—The U. S. Circuit Court of Appeals here has requested instructions from the United States Supreme court on whether or not the federal court had jurisdiction to try the three Negro soldiers convicted and sentenced to death for rape. Thurgood Marshall, NAACP special counsel revealed this week.

Conviction of the soldiers, Laurence Mitchell, Ino. Bordenave and Richard P. Adams, has been appealed on the position that the lands on which Camp Claiborne is established were not federal territory because the federal government had neglected to file a consent to jurisdiction as required by statute passed in 1940.

Following argument before the U. S. Circuit Court of Appeals, last week, it was decided that the questions of the land being federal territory and the federal court having jurisdiction over the alleged crime be put before the United States Supreme court before the Circuit court renders its decision. Briefs will be filed and arguments made in Supreme Court by Marshall, A. P. Tureaud and J. A. Thornton, attorneys for the soldiers.

Amsterdam Star-News
New York, N. Y.

RAPE CONVICTION OF 3 SOLDIERS

MAY 1 1943

NAACP Counsel Pleads Louisiana Death Case

MAY 1 1943

NEW ORLEANS, La.—Declaring that the U. S. District Court did not have the jurisdiction to try the three Camp Claiborne soldiers sentenced to death here, Thurgood Marshall, NAACP special counsel, argued this week before the U. S. Circuit Court of Appeals that the federal government had not agreed to take jurisdiction over the land in which the alleged crime was committed. MAY 1 1943

High Court Question of Jurisdiction Is Main Issue

MAY 1 4 1943

WASHINGTON. — Argument on the case of the three Negro soldiers convicted and sentenced to death for rape in Alexandria, La., began in the United States Supreme Court May 10. MAY 1 4 1943

Thurgood Marshall, N. A. A. C. P. special counsel, revealed this week that the brief filed in behalf of the United States by the Solicitor General and the Assistant Attorney General "confessed error" and completely agreed that the points raised by the defense attacking the jurisdiction of the trial court were valid. It had been charged that the court in which the soldiers were sentenced was without jurisdiction to try them. MAY 1 4 1943

The N.A.A.C.P. did not enter this case until after the three soldiers, John Bordenave, Richard P. Adams, and Lawrence Mitchell had been sentenced. They were rushed to trial on July 27, 1942. The court appointed lawyers and the soldiers were convicted of criminal attack on a white woman in Alexandria, La.

A petition of the N.A.A.C.P. attorneys for a habeas corpus writ was based on the contention that the United States government had no jurisdiction over the land on which the alleged crime was committed. MAY 1 4 1943

As the case now stands the government has joined the defense counsel in urging the United States Supreme Court to answer the question of the federal court's jurisdiction in such a manner as to admit that the lower court was without the right to convict the men. This may not mean the end of the case because their is still the likelihood of court-martial.

Kansas City Call
Kansas City, Mo.

Arguments Heard by

MAY 14 1943

Plan Appeal For Three In La. Rape Conviction

NEW ORLEANS, La. — Judge Adrian J. Caillouet of the U. S. District Court here ruled this week to issue a writ of habeas corpus for the three Negro soldiers sentenced to death for the raping of a white woman.

Thurgood Marshall, NAACP special counsel, announced that he would enter an appeal. Marshall said that the original petition for habeas corpus would be presented to the circuit court of appeals.

The three soldiers, John Bordenave, Richard P. Adams and Lawrence Mitchell, were rushed to trial on July 27, despite the fact that the mother of Bordenave tried to get a continuance until she could obtain counsel for an attorney. The NAACP appointed lawyers and the soldiers were convicted. The NAACP did not get into the case until after the trial.

FEB 13 1943

Chicago Defender
Chicago, Ill.

U. S. Confesses Error In La. Soldier Case

Pittsburgh Courier
Pittsburgh Pa. MAY 15 1943

WASHINGTON, D.C. May 13—Argument on the case of the three Negro soldiers convicted and sentenced to death for criminal assault in Alexandria, La., began in the United States Supreme court May 10.

MAY 15 1943

Thurgood Marshall, NAACP special counsel, revealed this week that the brief filed in behalf of the United States by the Solicitor General and the Assistant Attorney General "confessed error" and completely agreed that the points raised by the defense attacking the jurisdiction of the trial court were valid. It had been charged that the court in which the soldiers were sentenced was without jurisdiction to try them.

The NAACP did not enter this case until after the three soldiers, John Bordenave, Richard P. Adams, and Lawrence Mitchell had been sentenced. They were rushed to trial on July 27, 1942. The court appointed lawyers and the soldiers were convicted of criminal attack on a white woman in Alexandria, La.

A petition of the NAACP attorneys for a habeas corpus writ was based on the contention that the United States government had no jurisdiction over the land on which the alleged crime was committed.

As the case now stands the government has joined the defense counsel in urging the United States Supreme Court to answer the question of the federal court's jurisdiction in such a manner as to admit that the lower court was without the right to convict the men. This may not mean the end of the case because there is still the likelihood of court martial.

An excerpt from the brief filed by Solicitor General Charles Fahy in the case of the three soldiers, Richard Adams, John Walter Bordenave and Lawrence Mitchell stated:

MAY 15 1943

"A. R. S. 355, as amended February 1, 1940 (40 U. S. C., section 255), provides that the United States shall obtain exclusive or partial jurisdiction over lands only by filing an acceptance of such jurisdiction with the appropriate state authority. The legislative history of the acts shows that the term "partial" was designed to reach all jurisdiction less than exclusive; it would thus apply to the present situation, even if we assumed that the state had offered the United States 'concurrent jurisdiction.' This has been the administrative construction of the act. Since no acceptance was filed, the United States did not have jurisdiction over the land upon which the crime was committed."

The soldiers were rushed to trial July 27, 1942. The court appointed lawyers and they were convicted. Sentence was passed August 10. The NAACP did not enter the case until after the sentence when attorneys filed a petition for a habeas corpus writ on the ground that the United States government had no jurisdiction over the land on which the alleged crime was committed, since the land had been originally purchased for a national forest and turned over to the army without any notice of acceptance of exclusive or concurrent jurisdiction by the United States ever being filed with the Louisiana authorities as federal law requires.

The circuit court of appeals certified the question of the existence of federal criminal jurisdiction to the supreme court. As the case now stands the government has joined the defense counsel in urging the United States Supreme Court to answer the question of the federal court's jurisdiction in such a manner as to admit that the lower court was without the right to convict the men. This may not mean the end of the case because there is still the likelihood of court martial.

Supreme Court May Order New Trial For Trio

MAY 15 1943

Houston Texas

NEW ORLEANS.—As the three soldiers involved in the nationally-publicized Alexandria, Louisiana, rape case were moved from the federal jail here when the building was taken over by naval authorities, argument in their behalf started Monday before the justices of the United States Supreme Court May 10, exactly one year to the day when they allegedly attacked a white waitress at Camp Claiborne.

MAY 15 1943

Thurgood Marshall, NAACP special counsel, revealed this week that the brief filed in behalf of the United States by the solicitor general and the assistant attorney general "confessed error" and completely agreed that the points raised by the defense attacking the

SUPREME COURT HEARS LOUISIANA RAPE CASE

MAY 22 1943 Informer MAY 22 1943

Houston, Texas

WASHINGTON, D. C.—The Supreme Court last Monday went through the formality of hearing arguments in the case of Richard Philip Adams, John Walter Bordenave and Lawrence Mitchell, soldiers, who are under sentence of death for the alleged rape of a white woman within the bounds of Camp Claibourne, Louisiana, on May 10, 1942.

Houston, Texas

Thurgood Marshall, counsel for the National Association for the Advancement of Colored People representing the soldiers, began the argument. After he had told the Supreme Court that the case had been certified to it by the Fifth Circuit Court of Appeals and that the Justice Department agreed with the contention that the Federal District Court lacked jurisdiction, Chief Justice Harlan F. Stone suggested that the court first hear from Government counsel.

Informer

MAY 22 1943

The judges questioned Robert Stern, Justice department lawyer, as to when the question of jurisdiction arose and whether the purpose of the appeal would be served if the court dismissed the certificate so that the Justice Department could confess error in the Circuit Court. Stern was allowed to present the views of the United States attorney, who claimed Federal jurisdiction. When he had finished, Marshall said he had nothing to add.

MAY 22 1943

Soldier Rape Case Awaits U. S. Action

Chicago Bee
Chicago, Illinois

WASHINGTON, D. C., May 20—The United States Department of Justice admitted May 10 in argument before the Supreme court that the United States court for the Hestern District of Louisiana had no jurisdiction to try the three Negro soldiers who were convicted on a rape charge and sentenced to death.

MAY 29 1943

The case now awaits mandate of the Supreme court on two technical questions involving the right of the U. S. District court to try the soldiers. The Circuit court of appeals judged the questions raised by the NAACP to be of sufficient importance to send them up to the Supreme court to be answered. Upon their release, if the Supreme court decides they were tried by the wrong court, the soldiers face probable court-martial.

Thurgood Marshall, NAACP special counsel, argued for the soldiers.

The Department of Justice declared the United States District court to have been without jurisdiction, because the lands on which the crime was alleged to have been committed were acquired by the Department of Agriculture and jurisdiction of the United States was not formally accepted by the secretary of war until January 2, 1943. The crime of the three soldiers, John Bordenave, Richard P. Adams, and Lawrence Mitchell, was alleged to have been committed on May 19, 1942.

The NAACP did not enter this case until after the conviction of the soldiers who were rushed to trial in July, 1942. The court appointed lawyers and the soldiers were sentenced to death.

Court Sets Aside Death Sentence

Savannah Ga. Tribune

Meted Out To Three Soldiers

Washington, June 1—The United States District Court in Louisiana which sentenced to death three Negro soldiers charged with rape had no jurisdiction to try the soldiers, the U. S. Supreme Court ruled in an opinion by Associate Justice Hugo Black on May 24.

JUN 3 1943

Following an appeal by the NAACP the United States Supreme Court acted upon the question of jurisdiction which had been submitted to it by the U. S. Court of Appeals for the 5th Circuit for a ruling. NAACP counsel for the soldiers, Richard Adams, John Bordenave and Lawrence Mitchell, contended that the conviction had taken place at a time when federal authorities had no jurisdiction over the place at - oma tiction over the land of Camp Blaiborne, Louisiana, where the crime of rape was alleged to have been committed.

Justice Black's opinion pointed out that the Judge Advocate General of the Army, the Solicitor of the Department of Agriculture and the Dapertment of Justice have concurred in the view that the trial court was without jurisdiction because of a 1940 Act of Congress.

The NAACP did not enter this case until after the conviction of these soldiers who were rushed to trial and sentenced before members of their families had time to secure fees for private counsel. The court assigned an attorney and the soldiers were convicted last summer.

At the present time the soldiers are confined at Texarkana, Texas. Thurgood Marshall, NAACP special counsel said the NAACP is now considering what legal steps may be taken next to save the men from the electric chair when a retrial is set.

JUN 3 1943

371-1943 LOuisiana

7088

Text of Decision Granting New Hope to Trio Doomed for Camp Claiborne Attack

Afro-American Baltimore, Md.

JUN 5 1943

SUPREME COURT OF THE UNITED STATES

No. 889—October Term, 1942.
Richard Philip Adams, John Walter Brodenave and Lawrence Mitchell,
vs.
The United States of America and John S. Ryan, Warden.
On Certificate from the United States Circuit Court of Appeals for the Fifth Circuit.
(May 24, 1943)

Mr. Justice Black delivered the opinion of the Court.

The Circuit Court of Appeals for the Fifth Circuit has certified to us two questions of law pursuant to Sec. 239 of the Judicial Code. The certificate shows that the three defendants were soldiers and were convicted under 18 U. S. C. Secs. 451, 457, in the Federal District Court for the Western District of Louisiana, for the rape of a civilian woman.

The alleged offense occurred within the confines of Camp Claiborne, Louisiana, a government military camp, on land to which the government had acquired title at the time of the crime. The ultimate question is whether the camp was, at the time of the crime, within the federal criminal jurisdiction.

The Act of October 9, 1940, 40 U. S. C. Sec. 255, passed prior to the acquisition of the land on which Camp Claiborne is located, provides that United States agencies and authorities may accept exclusive or partial jurisdiction over lands acquired by the United States by filing a notice with the Governor of the State on which the land is located or by taking other similar appropriate action. The Act provides further: "Unless and until the United States has accepted jurisdiction over lands hereafter to be acquired as aforesaid, it shall be conclusively presumed that no such jurisdiction has been accepted." The government had not given notice of acceptance of jurisdiction at the time of the alleged offense.

[Exclusive jurisdiction over the lands on which the Camp is located was accepted for the federal government by the Secretary of War in a letter to the Governor of Louisiana, effective January 15, 1943.]

The questions certified are as follows:

"1. Is the effect of the Act of Oct. 9, 1940, above quoted to provide that, as to lands within a State thereafter acquired by the United States, no jurisdiction exists in the United States to enforce the criminal laws embraced in United States Code Title 18, Chapter 11, and especially Section 457 relating to rape, by virtue of Section 451, Third, as amended June 11, 1940, unless and until a consent to accept jurisdiction over such lands is filed in behalf of the United States as provided in said Act?

"2. Had the Distritc Court of the Western District of Louisiana jurisdiction, on the facts above set out, to try and sentence the appellants for the offense of rape committed within the bounds of Camp Claiborne on May 10, 1942?"

Since the government had not given the notice required by the 1940 Act, it clearly did not have either "exclusive or partial" jurisdiction over the camp area. The only possible reason suggested as to why the 1940 Act is inapplicable is that it does not require the government to give notice of acceptance of "concurrent jurisdiction." This suggestion rests on the assumption that the term "partial jurisdiction" as used in the Act does not include "concurrent jurisdiction."

The legislation followed our decisions in James vs. Dravo Contracting Co., 302 U. S. 134; Mason Co. vs. Tax Commission, 302 U. S. 186; and Collins vs. Yosemite Park Co., 304 U. S. 518.

These cases arose from controversies concerning the relation of federal and State powers over government property and had pointed the way to practical adjustments. The bill resulted from a co-operative study by government officials, and was aimed at giving broad discretion to the various agencies in order that they might obtain only the necessary jurisdiction.

The Act created a definite method of acceptance of jurisdiction so that all persons could know whether the government had obtained "no jurisdiction at all, or partial jurisdiction, or exclusive jurisdiction."

Both the Judge Advocate General of the Army and the Solicitor of the Department of Agriculture have construed the 1940 Act as requiring that notice of acceptance be filed if the government is to obtain concurrent jurisdiction. The Department of Justice has abandoned the view of jurisdiction which prompted the institution of this proceeding, and now advises us of its view that concurrent jurisdiction can be acquired only by the formal acceptance prescribed in the act. These agencies co-operated in developing the act, and their views are entitled to great weight in its interpretation. Cf. Bowen vs. Johnson, 306 U. S. 19, 29-30. Besides, we can think of no other rational meaning for the phrase "jurisdiction, exclusive or partial" than that which the administrative construction gives it.

Since the government had not accepted jurisdiction in the manner required by the Act, the federal court had no jurisdiction of this proceeding. In this view it is immaterial that Louisiana statutes authorized the government to take jurisdiction, since at the critical time the jurisdiction had not been taken.

Our answer to certified question No. 1 is Yes and to question No. 2 is No.

It is so ordered.

JUN 5 1943

JUN 5 1943

371-1943

Washington Post
Washington, D. C

Rockville Taximan Held for Jury on Nurse's Complaint

JUL 23 1943

Cecil Coleman, 30-year-old Negro taxi driver of Rockville, Md., was held for action of the Montgomery County grand jury on charges of assault with intent to rape, yesterday by Trial Magistrate Donald A. De Lashmutt, in the Rockville Police Court. His bond was fixed at $500.

Coleman is alleged to have made improper advances to a 27-year-old white nurse who had engaged his taxi for a trip from Rockville to Washington. Coleman was at liberty on $1000 bond pending review by the Circuit Court of his conviction, July 1 in Police Court of illegal sale of liquor.

Officials of the Motor Vehicle Commissioners' office in Baltimore yesterday took possession of his card and cab license.

Afro-American
Baltimore, Maryland

Convict Man 2nd Time for Child Attack

BALTIMORE

Granted a new trial by the Supreme Bench on June 5, Charles E. Jackson of 1622 E. Jefferson Street was again found guilty in Criminal Court Tuesday of assault with intent to criminally attack a 6-year-old girl on January 31.

The late Judge Joseph Ulman convicted Jackson of the crime on April 6, but withheld sentence pending a motion for a new trial. Judge Eugene O'Dunne found Jackson guilty JUN 26 1943 second trial and sentenced him to four years in the Maryland penitentiary.

Jackson was accused of assaulting the child in the vicinity of Jefferson and Bond Streets as she was on her way to the store for her mother.

Washington Post
Washington, D. C.

Held for Jury On Girls' Charges

OCT 17 1943

Elkton, Md., Oct. 16 (AP).—Two Negro soldiers stationed at the Aberdeen Proving Ground were held without bond today for action of the Cecil County grand jury on charges of raping two young women

munitions workers.

Cecil County State's Attorney Henry L. Constable said Pvt. Ralph Mackey and Corpl. Richard Branch had admitted in statements to Army officers that they had been with the women. They denied the rape charge.

OCT 17 1943

Mackey is from Yatesville, N. C., and Branch from New York City.

Constable said the two women testified at a preliminary hearing before Police Magistrate James Weinroth yesterday that they had been picked up in a car containing seven Negro soldiers, including the

Two Accused In Attack on Girl Hikers

Post
Washington, D. C

Elkton, Md., Oct. 6.—Two Negro soldiers accused of raping two young women employed at an Elkton munitions plant have been turned over to civil authorities and will be arranged as soon as statements taken by the Army are received, State's Attorney Henry L. Constable said today.

One of the girls was severely beaten, suffering head and face fractures, Constable related. Both were taken to a Baltimore hospital after the attacks, which Constable said occurred last September 26.

The State's attorney identified the soldiers as Pvt. Ralph Mackey of Yatesville, N. C., and Corpl. Richard Branch of New York City. He said the men were turned over when certified copies of warrants were presented at the Aberdeen Proving Ground, where they were stationed.

OCT 7 - 1943

The two young women were hitchhiking toward Baltimore, Constable related, when a car containing seven Negroes stopped. The girls entered the car, he added, then asked to be let out but were refused.

The car turned off on a side road near Northeast, the women got out and two Negroes followed them out of the machine, which sped away with the other five soldiers, the State's attorney added, saying the attacks occurred thereafter.

OCT 7 - 1943

Constable reported that Army authorities at Aberdeen also had questioned the five Negroes in the car with Mackey and Branch, but that investigation thus far indicated these men were not involved.

Maryland

Soldiers Held for Attack on White Women

Afro-American
Baltimore, Md.

By Staff Correspondent

ELKTON, Md.—Although the two white women victims of an alleged criminal assault failed to identify their assailants, two Aberdeen Proving Ground soldiers were held without bail here Friday pending action of the Cecil County Grand Jury, scheduled to meet in December.

OCT 23 1943

Scores of State police were on guard when the accused, Pvt. Ralph Mackey of Yatesville, N.C., and Cpl. Richard Branch of New York City were led handcuffed into Magistrate James Weinroth's 14 by 6 foot chambers where the preliminary trial was held.

However, only the principals in the case and attorneys were admitted to the trial room which was locked as soon as testimony began.

Faced by Accusers

Seated opposite the soldiers in the small room were their two accusers, Misses Louise Sheffey and Marguerite Waters, both employed in the Triumph Explosives war plant here.

They admitted that they were hitch-hiking to Baltimore on the night of September 26 when they accepted a ride in a car containing seven soldiers.

After driving a mile down a side road, they left the car with two of the soldiers, they related.

Admit Taking Drinks

Under questioning Miss Sheffey admitted that she and her companion had just left Jimmie's a roadhouse club, where they had three glasses of beer and a drink of whiskey. . .

OCT 23 1943

State's Attorney Henry L. Constable, who refused to allow the soldiers' release under bail, presented an unsigned statement reportedly made by Mackey to military authorities at Aberdeen, confessing relations with a white girl he did not know but denying any forced attack.

The statement further indicated that the women readily entered the car and sat on the soldiers laps.

Constable added that Branch repudiated the charges.

On the advice of their counsel, W. A. C. Hughes, Jr., of Baltimore, neither of the accused testified during the preliminary trial.

OCT 23 1943

Miss Sheffey said she scratched her attacker, but State Police Officer T. A. Clarke said neither of the accused soldiers bore any marks upon their arrest.

Branch's mother, Mrs. Mae Branch, resides in New York where his wife and week-old-daughter also live.

They Tell of Encounter

Both of the women admitted they had illicit relations with two soldiers who were dark. During the encounter they said, they suffered scratches of the face and neck.

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Save Burrows, Dewey Urged

The Daily Worker
New York, N. Y.

MAR 8 1943

Governor Dewey can stop the extradition of George A. Burrows to Mississippi and thereby prevent another lynching in the state which recently murdered two 14-year-old boys, Benjamin J. Davis, Jr., said yesterday. Mr. Davis said the Burrows case had all the appearances of another lynch frameup.

Burrows is described in current newspaper stories as a 38-year-old Negro cook, formerly of the Edgewater Hotel, in Gulfport, Miss., who allegedly shot two men there. It was brought out in Felony Court last Friday that he escaped a mob bent upon lynching him and made his way to New York.

Mr. Davis was emphatic in declaring that labor, all Negro organizations and "all patriotic citizens ought to demand of Governor Dewey that he refuse to extradite Burrows. All decent people must join in the fight against the frameup," he said.

MAR 8 1943

Sheriff R. C. Edwins, of Harrison County, Miss., who drove 1,700 miles to get Burrows, told Magistrate Thomas A. Aurelio that Burrows was wanted on charges of "attempting to kiss a white girl" and of shooting two "white" men who came to her "rescue."

Burrows, who pleaded in court not to be sent back to Mississippi to certain death, contradicted the sheriff's tale. Burrows told Donald Orichton, counsel provided for him by the National Association for the Advancement of Colored People, he had had a quarrel with the girl in question about work. He swears that he never attempted to molest the girl in any way.

MAR 8 1943

DESCRIBES FRAMEUP

On the day following the quarrel with the girl, he declared he was called upstairs, where two men waited in a room. They started beating him, he said, adding that the girl then walked in, saying, "That's him," The men continued to beat him, he told his counsel, until he managed to grab a gun to defend him himself.

He would never have a chance to tell the truth of what actually happened, if he should be sent back, he said, for they would lynch me."

MAR 8 1943

Mr. Davis, executive secretary of the New York County and organizer of the Upper Harlem section of the Communist Party, said that efforts of the Mississippi police to extradite Burrows "is another attempt of the poll-taxers to impose their system of lynch-law upon the city of New York and the rest of the nation."

"It appears that Burrows' crime was only that he tried to defend himself against a couple of would-be lynchers," Mr. Davis said. "To doubt the Mississippi sheriff was encouraged by the high-handed campaign of the poll-taxers in Washington against the war effort, the Negro people and the labor movement."

He said that the very fact that five lynchers have been indicted in Mississippi "shows that there are progressive forces in that state which are sick and tired of lynch law and see it as a menace to national unity."

MAR 8 1943

Every support should be given the National Association for the Advancement of Colored People in its defense of Burrows, Mr. Davis said. He added

MAR 8 1943

"The threat that hngas over George A. Burrows emphasizes how necessary it is to pass anti poll-tax legislation in Congress right now."

Burrows, this morning, will appear before Judge John J. Freschi in the Court of General Sessions.

DEWEY GETS PLEDGE, EXTRADITES NEGRO

He Acts After Talk With Mississippi Governor

Special to THE NEW YORK TIMES.

ALBANY, March 10—George A. Burrows, a Mississippi Negro, who declared that he would be lynched if returned to his home State to stand trial on a charge of shooting a white man, was started back today with the personal pledge of Governor Johnson of Mississippi that he would have "the full protection of the law."

This promise was disclosed by Governor Dewey, who had received appeals from counsel for the National Association for the Advancement of Colored People and the Civil Liberties Union asking that he withdraw his signature on extradition papers.

The Governor said that, after studying the case, he telephoned Governor Johnson last night, obtaining a pledge that Burrows's physical safety would be guarded.

Governor Dewey also asked that the prisoner be taken South by train rather than automobile, as a further protection.

The Daily Worker
New York, N. Y.

Will Demand Negro Jurors For Burrows

MAR 17 1943

Thurgood Marshall, attorney for the National Association for the Advancement of Colored People and in direct charge of George A. Burrows' defense, said yesterday that the Negro cook, returned to Mississippi by Governor Dewey had probably arrived safe at Gulfport.

Mr. Marshall said he had made inquiries by phone and by wire of everybody in the surrounding territory who might know of Burrows' arrival and that he had been able to learn only at second hand that no ill had so far befallen the man who escaped a lynch mob at Gulfport, after a frameup, only to be extradited to the same town by New York State's chief executive.

All measures for a fair trial, as far as the NAACP is concerned, have been taken, Mr. Marshall said. He is leaving today for New Orleans and promises to get in touch with lawyers who will defend Burrows. These lawyers, Mr. Marshall declared, will insist on Negro jurors and all other rights to which the prisoner, as an American, is entitled.

MAR 17 1943

Will Lynchers Get Burrows? Not If You Speak Out Now!

MAR 21 1943

The Worker
New York, N. Y.

The campaign to save George A. Burrows from a legal lynching in Mississippi is picking up momentum in New York and is spreading beyond this state.

The National Association for the Advancement of Colored People, meanwhile, announces its intention to demand that Negro citizens be on the jury which will hear testimony in the trial of the Negro cook sent back to Gulfport by Gov. Dewey.

Burrows came to New York after escaping from a Gulfport mob bent on lynching him for alleged "attempted rape" of a "white woman." Burrows told The Worker on the afternoon of his deportation to Mississippi in custody of two sheriffs, that he had had a "quarrel over some work" with the woman.

MAR 21 1943

BURROWS' ACCOUNT

Following the quarrel, he was taken at the point of a pistol to a room of the Edgewater Gulf Hotel where he worked, and beaten by the manager and other men. The manager was also a deputy sheriff, it being the custom to deputize white men who manage large groups of Negro workers. Carrying firearms, or otherwise, against the law.

MAR 21 1943

Since it is a crime to resist an officer, Burrows, beaten by a deputy sheriff, was helpless. He therefore tried to defend himself in the only way he knew. He grabbed a gun and shot in self defense.

They had already promised to lynch him "before eight o'clock that night." He escaped.

Gov. Dewey, in extraditing Burrows, expressed "confidence" in the pledge of Gov. Paul Johnson of Mississippi to give the prisoner "safe conduct" and to see that he got a "fair trial."

Negro, labor and other progressive organizations and persons, knowing that Mississippi had lynched three Negroes within one week last year, challenged Gov. Dewey's act. They reminded him that two of the three murder victims were boys of 14 and that, so far, the governor of Mississippi has done nothing about punishing their lynchers.

MAR 21 1943

The third lynch victim, 45-year-old Howard Wash, a Negro dairy worker, had been sentenced to life imprisonment for "murder." The fact that the all-white jury had refused to assess the death penalty caused many persons, even in Mississippi, completely to doubt Wash's guilt. He had killed his employer, according to court testimony, with a milk pail in a fight about work.

MAR 21 1943

The two young boys (who also were charged with "rape"—the girl in this case being of the same age) were seen by a passing motorist playing with the girl beside a bridge. The motorist reported the "attack." A mob, probably joined in by the unnamed motorist, hacked the children's bodies with knives and hanged them from the bridge.

Six persons had previously been hanged from that bridge.

It was this state of Mississippi to which Gov. Dewey last week sent back George A. Burrows. Gov Johnson had promised to safeguard Burrows but he had not yet prevented a lynching. Nor had Mississippi, in spite of indictments against five lynchers of Howard Wash, punished the murderers.

MAR 21 1943

MANY PROTEST

Sheriff R. C. Edwins and his deputy had told New York reporters that Harrison County, to which they were returning Burrows, had never had a lynching. Most of the "respectable" sheets, none of which was interested in saving the refugee from Mississippi justice, played up that "news." Harrison County, as a matter of fact, had had eight lynchings—recorded. Gulfport, the town in which he is to get his "fair trial," has had two.

The National Negro Congress last Thursday night held a protest meeting at the Church of the Master, 88 Morningside Ave. Prominent leaders of the Harlem community called on the people to remind the governor of Mississippi that he was responsible not only for Burrows' safety from mob murder but was expected to see that this man was not "legally" lynched.

The Daily Worker
New York, N. Y.

Dewey Denounced in Extraditing Burrows

MAR 12 1943

By Eugene Gordon

Leaders of the Negro community were surprised and outraged when they learned yesterday that Governor Dewey had sent George A. Burrows back to the state from which he had fled a lynching.

Protests to the Governor of Mississippi against a legal lynching, meanwhile, began to assume an organized form.

MAR 12 1943

Burrows had come to New York from Gulfport, Miss., where he had been cook at the Edgewater Gulf Hotel. He had been involved in a dispute about his work and had been framed for "attempted rape."

BURROWS TAKEN AWAY

Shackled between Sheriff R. C. Edwins and a deputy, he was put on a 3:30 southbound train Wednesday afternoon. The sheriff and his deputies had driven 1,700 miles to reclaim their prey.

The Mississippians did not try to conceal their triumph when Judge Freschi, in the Court of General Sessions Wednesday morning, told the men they could take Burrows away, while Donald Crichton, counsel provided by the National Association for the Advancement of Colored People, stood by helplessly.

Burrows, feeling that he was being taken on a last, long ride, stood uncringing, his head up, though tears were in his eyes. He said later he knew they would try to lynch him.

"Governor Dewey's giving in to the lynch justice of Mississippi is a reprehensible act and the Negro people are justly aroused by it," Charles Collins, business agent of the Hotel and Club Workers' Union, Local 6, declared.

"If any harm comes to Burrows," Mr. Collins said, **"Dewey will be responsible. We must organize protests against legal lynching."**

He added that if Dewey, in sending Burrows back to the South, was showing how he kept his pre-election pledge to the Negro people, "then the progressive and labor forces were a thousand times correct in opposing his election."

URGES PROTESTS SENT

The Rev. Dr. Thomas S. Harten, pastor of the Holy Trinity Baptist Church, Brooklyn, said that telegrams and letters ought to be sent immediately to Governor Johnson at Jackson, Miss., "letting him know that we expect him to protect this man's life."

"If Burrows is not lynched," Dr. Harten said, **"it will be only because of the people's protests. We must not sit idly by."**

Dr. Harten said he and his congregation would send demands to the Governor of Mississippi to give Burrows a fair trial.

Since extradition has already been taken, "we must now turn our attention to Governor Johnson, of Mississippi," the Rev. Dr. George H. Sims, a leader in the Baptist Ministerial Alliance, told the **Daily Worker.** "Burrows must have a completely impartial and just trial," he said, adding: "Since we are sacrificing our lives for justice, we must see to it that heads of states interest themselves in the administration of justice."

MAR 12 1943

Dr. Sims said it was "our duty to do anything possible to save the life of this man" and that he was writing to Governor Johnson.

WRITE GOV. JOHNSON

Arthur Hartley, member of the National Lawyers' Guild, said:

"Only wide publicity in his case and militant support of his defense by organized groups will insure that Burrows will not be a victim of legal lynching. I am writing the Governor of Mississippi to pay special attention to Burrows' trial."

Louis Coleman, assistant secretary of the International Labor Defense, which also filed a brief in support of Burrows' plea to Governor Dewey, said that a "nation-wide blanket of protection against the legal lynching" of Burrows "extradited to a lynch-trial in a lynch-county of the lynch-state of Mississippi," must be thrown about the man, "this blanket to take the form of thousands of telegrams to Governor Jackson demanding that Burrows, obviously innocent of the charge against him, be given . . fullest protection."

The ILD brief to Governor Dewey, "who refused to withdraw his warrant even for the purpose of giving Burrows a hearing," said that the young man "faces not a trial as we know it and understand it under our laws, but, rather, the very real threat of a lynching."

Hope Stevens, president of the Manhattan Council of the National Negro Congress, said that "organizations interested in seeing that this man gets a fair trial" should apply pressure to Governor Johnson. As a matter of fact, he said, "the greatest pressure" will have to be put on "all the state authorities in Mississippi, in view of the fact that Burrows, a Negro, could hardly get a fair trial in a county where Negroes do not serve on juries."

Hattissburg, Miss., in the meantime, is scheduled on April 12 to be the scene of the trial of Deputy Sheriff Luther Holder, Nathaniel Shotts, Allen Pryor, Barney Jones and William O. Jones, alleged lynchers of Howard Wash, 47-year-old Negro dairy worker, last Oct. 17. The men were indicted by a Federal Grand Jury on the basis of information provided by FBI agents.

The sheriff in this case was charged specifically with "delivering" the prisoner to the mob, instead of protecting him.

The Union
Cincinnati, Ohio

Burrows Awaits Trial In Mississipp Jail !

APR 8 1943

Gulfport, Miss.—George Burrows, who fled Mississippi after shooting his way out of a group intent upon his lynching is now being held in Hines County Jail. No indictment against him has been returned due to an asserted physical inability of essential witnesses to attend the grand jury.

APR 8 1943

Burrows was returned to Mississippi early last month by Governor Dewey of New York on the personal pledge of Gov. Johnson that he would have a fair trial. Dewey's action was in response to an appeal by Thurgood Marshall, NAACP special counsel to act against the extradition of Burrows.

Upon notification from the New York Police following a routine investigation in which Burrows was found not to be in possession of his draft card, a Mississippi sheriff had driven to New York in an automobile. Additional safety was assured Burrows when instead of being returned to Gulfport in the sheriff's train, he was sent back by plane.

APR 8 1943

Questioning by the New York Police had revealed that in 1942, Burrows had been employed as a cook in the Edgewater Hotel, Gulfport, Mississippi, last April at the point of a gun he had been ordered into the basement and brutally beaten by 4 white men. During the beating the men repeatedly told him he would be lynched as soon as it was dark. He says he was not informed at the time for the reason of the beating or the threat of lynching, but in his fear and desperation to escape the lynching he fired a pistol and ti is alleged that he wounded two of his would-be lynchers. Burrows ran into the woods where he hid for 4 days during which the Mississippi authorities hunted him with bloodhounds and posse. Burrows escaped to Cuba and later to New York.

New Masses
New York, N. Y.

Without One Bloodhound

MAR 23 1943

SHERIFF R. C. EDWINS, of Harrison County, Mississippi, turned up in metropolitan New York the other day without his bloodhounds. As it turns out, he didn't need them: Governor Dewey, steward of the nation's greatest state, obliged Judge Lynch by handing over George A. Burrows, a Negro who fled North in the vain hope that here his rights would be respected. The protests of white and Negro citizens proved fruitless: the governor accepted Jim Crow's promises that there would be no lynching.

Mississippi has an unenviable record: more than 600 men and women have been hanged from the trees, shot, or burned in that state. Several months ago two Negro boys of fourteen were murdered by lynch mobs. Eight similar atrocities have taken place in Harrison County despite the southern sheriff's bland assurance: "There ain't never been a lynching in Harrison County."

MAR 23 1943

The outrageous facts in the case are these. The sheriff arrived with a pack of photographs of Burrows which carried the following legend: "Wanted for attempted rape of a white woman . . . and for seriously shooting two white men." Questioned by reporters, the official dodged and twisted and finally admitted that the Negro had not even touched the woman he allegedly attempted to rape. The facts indicate that Burrows, a cook, had become involved in a dispute over wages and had been framed for "attempted rape."

MAR 23 1943

GOVERNOR DEWEY would have established no courageous precedent in refusing to turn the Negro over to the southern authorities. In 1937 Gov. Charles F. Hurley of Massachusetts refused to extradite J. Cunningham to Georgia; before that in 1932, Gov. Harry Moore of New Jersey gagged at sending R. E. Burns back to the same state. And only last week Common Pleas Judge Clare P. Fenerty of Philadelphia overrode an order by Governor James to extradite Thomas Mattox, a seventeen-year-old Negro, to Georgia. "I did not conceive it to be the law of Pennsylvania," the judge said, "that I must send a man back to be lynched." But evidently Governor Dewey thought otherwise. The New York executive told representatives of many organizations who intervened in Burrow's behalf that he had been assured by Mississippi's governor that the Negro's "physical safety would be protected" and that he "would be given a trial in accordance with the law." Mississippi law does not permit Negroes on the jury; and the nation has already witnessed the quaint southern custom that permits Negroes to be lynched "with full benefit of the law" when the hooded gangs fail to do the job.

MAR 23 1943

IT WAS made clear to the governor of New York that the interests of national unity were involved in this case; that extradition would not serve to win the good will of the Negro people in this war. But the governor had his own ideas—evidently closer to those of the Mississippi police authorities. These are ideas which must be altered by the aroused will of the entire nation.

The Daily Worker
New York, N. Y.

Burrows Held in Mississippi Jail

APR 5 1943

GULFPORT, Miss.—George Burrows who fled Mississippi after escaping from a group intent upon his lynching is now being held in Hines County Jail. No indictment against him has been returned due to an asserted physical inability of essential witnesses to attend the grand jury.

APR 5

Burrows was returned to Mississippi early last month by Governor Dewey of New York on the personal pledge of Gov. Johnson that he would have a fair trial. Dewey's action was in response to an appeal by Thurgood Marshall, NAACP special counsel to refuse to send Burrows back.

APR 5

371-1943
Chicago Bee
Chicago, Illinois

Mississippi 7092

MOB ACTION THREATENS AS MAN RETURNS TO MISS. 'JUSTICE

MAR 21 1943

Outspoken indignation and vigorous protests this week launched a nation-wide campaign to free George A. Burrows, fugitive from a Mississippi lynch mob who was returned to his fate at the hands of rabid Dixie "justice" by Governor of New York Thomas E. Dewey last week.

Leading organizations and public-spirited and liberal-minded citizens of both races have joined in condemning Burrow's extradition and starting a drive to obtain his immediate freedom or a fair and impartial trial outside of the environs of the "lynch-ridden state of Mississippi."

Judge Grants Stay.

Last week when the 28-year-old Negro was tried before Judge John J. Freschi his plea to be saved from the fate he knew awaited him if he were returned to Gulfport, where he had shot two white men nearly a year ago, was granted by the jurist. Judge Freschi ordered a two-day stay to allow Governor Dewey to hold a hearing in the extradition papers.

Wednesday afternoon Governor Dewey handed Burrows over to a sheriff who came to New York to return him for "trial" on a murder-attempt charge. Observers termed the entire proceedings a "typical southern frameup" and denounced the New York governor's action.

Governor Dewey, in a special press conference at the Capital Wednesday declared he had signed the extradition papers against Burrows "in routine" several days ago, but had deferred final action after receiving protests from various organizations and hundreds of individuals.

Leading Organizations Protest.

Among them, he stated, was the National Negro Congress, the National Association for the Advancement of Colored People, the National Lawyers' Guild and the American Civil Liberties union. Burrows' defense attorney is Donald Crichton of the NAACP.

He explained his action in the statement that he had talked with Gov. Paul Johnson of Mississippi over the phone before turning Burrows over to the county sheriff upon the assurance that the terror-stricken Negro's "physical safety would be protected" and that he would "be given a trial in accordance with the law."

Lynch Record Worst.

Mississippi has one of the worst lynching records of the entire South. More than 600 lynchings have occurred in Mississippi, the records show. Eight of these "typical" examples of Dixie justice have occurred in Harrison county alone — the county back to which Burrows is on his way this week.

The National Negro Congress, in a statement to the press this week, pointed to the action of other governors in similar instances in urging concerted action in demanding the "immediate release of Burrows and the immediate prosecution of his assailants."

(Burrows was beaten because he allegedly attempted to kiss and rape a white woman by two white men, one of whom was shot in the fight which resulted.) The NNC release states in part:

Dewey Breaks Precedent.

"The courts and governors in the States of Pennsylvania, New Jersey, and Massachusetts have recently refused to return Negro refugees to the South on the very sound theory that it is impossible to receive a fair trial, and that only lynch law is in operation.

"By returning Burrows to Mississippi, Governor Dewey has broken with these immediate precedents and has taken up where Judge Taney left off in the Dred Scot decision. Clearly, the governor is trying to come to terms with such mobsters as Talmadge, Dixon, Dies, and Rankin."

NY Police Deny Mississippian Confessed

People's Voice
MAR 27 1943

Latest developments in the case of George Burrows, 38-year-old cook, who was extradited to Mississippi by NY's Governor Dewey last week are that the *Biloxy Mississippi Herald*, local newspaper, is preparing the way for his trial.

According to the NAACP, the newspaper ran a story last week in which it quoted a telegram reported to have been sent by the NY Police Department. According to the telegram, Burrows is supposed to have confessed to rape of the white woman involved in the case. She was employed in the Edgewater Hotel in Gulfport where he worked.

MAR 27 1943

The police department denies having sent such a telegram.

MAR 27 1943

Attorney Donald Crichton, who represented Burrows in NY, informed the British Consulate here of the case. He received a reply from the Consulate informing him that it was fully aware of the case, that British authorities in Washington and in Gulfport, Mississippi, were watching developments.

Daily World
Atlanta, Georgia

Fears Lynching, Is Granted Stay

MAR 22 1943

NEW YORK—(ANP)—George A. Burrows, was granted a two-day stay Monday when he declared he feared he would be lynched if he were returned to Gulfport, Miss. in the shooting of two white men nearly a year ago.

MAR 22 1943

Judge John J. Freschi ordered the stay after Donald Crichton, a representative of the NAACP, informed him that Gov. Dewey had consented to hold a hearing in the extradition papers the governor already had countersigned if papers on an appeal were presented within two days. Crichton said it was useless to seek a writ of habeas corpus in the supreme court.

Chicago Bee
Chicago, Illinois

MOB FUGITIVE AWAITS TRAL IN DIXIE JAIL

APR 11 1943

GULFPORT, Miss., Apr. 8—George Burrows who fled Mississippi after shooting his way out of a group intent upon his lynching is now being held in Hines county jail. No indictment against him has been returned due to an asserted physical inability of essential witnesses to attend the grand jury.

APR 11 1943

Burrows was returned to Mississippi early last month by Governor Dewey of New York on the personal pledge of Gov. Johnson that he would have a fair trial. Dewey's action was in response to an appeal by Thurgood Marshall, NAACP special counsel, to act against the extradition of Burrows.

Upon notification from the New York police following a routine investigation in which Burrows was found not to be in possession of his draft card, a Mississippi sheriff had driven to New York in an automobile. Additional safety was assured Burrows when instead of being returned to Gulfport in the sheriff's car, he was sent back by train.

APR 11 1943

Questioning by the New York police had revealed that in 1942, Burrows had been employed as a cook in the Edgewater Hotel, Gulfport, Miss. Last April at the point of a gun he had been ordered into the basement and brutally beaten by five white men. During the beating the men repeatedly told him he would be lynched as soon as it was dark. He says he was not informed at the time for the reason of the beating or the threat of lynching, but in his fear and desperation to escape the lynching he fired a pistol and it is alleged that he wounded two of his would-be lynchers. Burrows ran into the woods where he hid for four days during which the Mississippi authorities hunted him with bloodhounds and posse. Burrows escaped to Cuba and later to New York.

APR 11 1943

Home, Ala., Register
March 11, 1943

Magnolia State Assault Suspect To Be Returned

Governor Johnson Assures Fair Trial For Accused Negro

ALBANY, N. Y., March 10.—(AP) Governor Dewey today rejected pleas that plans for extradition of George Andrew Burrows, Mississippi negro wanted there as a fugitive, be cancelled but took extensive precautions to protect the defendant from the lynching Burrows fears.

Burrows, sought on a charge of assault and battery, with intent to kill, was apprehended recently in New York City. He pleaded at his arraignment that he would be lynched, if returned to Mississippi.

Extradition of Burrows was asked by Gov. Paul B. Johnson, of Mississippi, and papers for removal of the prisoner were signed by Dewey a week ago.

Subsequently, the governor said, he has been asked to cancel the extradition by counsel for the National Association for the Advancement of Colored People and the Civil Liberties Union.

"I have rejected the request," the governor said, "but in the meantime I telephoned Governor Johnson last night and asked him to wire me his personal assurance that the physical safety of the prisoner will be protected if he is returned."

Dewey said he asked Johnson specifically to guarantee that Burrows will be given a trial by law in Harrison County, Miss., where the defendant is wanted for shooting a white man, and that he be returned by train.

Governor Johnson Comments

(In Jackson, Miss., Governor Johnson said he was sure no effort would have been made to lynch the prisoner.

("I have no idea there would have been any such attempt," he said, "and sent the telegram assuring 'protection' only at Governor Dewey's request.

Edwins, Negro, F. Steinder, is allowed ... Harrison County, ... only 10 cents a ... and ... has been here since ... awaiting the release ... Andrew Burrows, 38-... Negro cook ... district attorney ... Sessions John J. ... General ... Freschi

Hearing Stalls

NEW YORK, March 7 (AP) — ... General Sessions Court was ... urged to expedite release ... to Mississippi of a Negro pris... oner before the sheriff who ... came to claim custody of him ... ran out of money.

The sheriff, R. C. Edwins of ...

March 8, 1943

Sheriff Running Out Of Cash As

the Edgewater Hotel in Gulfport, Miss., last April 6. He said the Negro was hunted with bloodhounds for two days but eluded a posse by swimming away in the Bayou Bernard River.

Burrows pleaded with the judge not to release him to the sheriff.

Burrows' attorney, Daniel Crichton, of the National Association for the Advancement of the Colored People, told a magistrate before whom the case was heard earlier, "This man hasn't got a chance if he goes back to Mississippi."

The court adjourned further hearing until Monday.

Memphis, Tenn., Commercial Appeal
March 6 1943

SHERIFF HITS A SNAG IN EXTRADITION CASE

Negro Pleads In New York Against Return To Mississippi

NEW YORK, March 5.—(AP)—General Sessions Court was urged Friday to expedite release to Mississippi of a negro prisoner before the sheriff who came to claim custody of him ran out of money.

The sheriff, R. C. Edwins of Harrison County, is allowed only 10 cents a mile traveling expenses, and no hotel expenses, and has been here since last week awaiting release of George Andrew Burrows, 38-year-old negro cook, an assistant district attorney told General Sessions Judge John J. Freschi.

Edwins' deputy, F. F. Steininder, is better off financially than the sheriff, the district attorney said. Steininder came up with Edwins in Edwins' car, and is allowed $3 a day for expenses.

Edwins said Burrows was wanted in connection with the shooting of two white men in the Edgewater Gulf Hotel in Gulfport, Miss., last April 6. He said the negro was hunted with bloodhounds for two days but eluded a posse by swimming away in the Bayou Bernard River.

Burrows pleaded with the judge not to release him to the sheriff.

Burrows' attorney, Daniel Crichton, of the National Association for the Advancement of the Colored People, told a magistrate before whom the case was heard earlier, "this man hasn't got a chance if he goes back to Mississippi."

The court adjourned further hearing until Monday.

NAACP Hires Attorney For George Burrows

Daily Worker
March 12, 1943

Faces Trial For Alleged Shooting In Mississippi

GULFPORT, Miss.—(SNS)—The National Association for the Advancement of Colored People revealed this week that it has retained a white Mississippi lawyer as counsel for George Burrows, cook, who was returned here after fleeing Mississippi following his escape by shooting his way out of a group intent upon his lynching.

Burrows awaits trial in Hines county jail, Jackson, Miss., where he was sent for safety. He was sent back to Mississippi after the NAACP had appealed to Governor Dewey to act against his extradition, because it was feared that his life fould be in jeopardy if he returned to Mississippi.

Dewey received a pledge from Governor Johnson of Mississippi that Burrows would be given safe conduct to the jail and that he would be accorded a fair trial.

Argus
St. Louis, Missouri

Accused Of Shooting Two Hotel Workers

March 12, 1943

NEW YORK, March 10.—Geo. A. Burrows, 38-year-old cook, who is wanted in Gulfport, Miss., for shooting two employes of the Edgewater Hotel, where he also was employed, dropped to his knees in Felony Court Friday and begged Magistrate Thomas A. Aurelio not to send him back to Gulport because "they will lynch me."

Magistrate Aurelio told Burrows he was unable to interfere with extradition proceedings for his return to Mississippi, but at the request of Donald Crichton, a member of the NAACP, lawyer for Burrows, referred the case to General Sessions Court. In that court Judge John J. Freschi ordered Burrows held in the Tombs until Monday while Mr. Crichton seeks a writ of habeas corpus from the Supreme Court.

Burrows admitted that he had shot the men in Gulport last April 6 in an argument over whether he had insulted a girl. He was arrested last week as a theft suspect in Harlem charge was cleared of the theft charge but held at the request of the Gulport police, and Sheriff R. C. Edwins arrived with a deputy to take him back.

Mobile, Ala., Register
March 6, 1943

Hurry That Decision, Judge! The Sheriff's Out Of Money

NEW YORK, March 5.—(AP)—General sessions court was urged today to expedite release to Mississippi of a negro prisoner before the sheriff who came to claim custody of him ran out of money.

The sheriff, R. C. Edwins of Harrison County, is allowed only 10 cents a mile travelling expenses, and no hotel expenses, and has been here since last week awaiting the release of George Andrew Burrows, 38-year-old negro cook, an assistant district attorney told General Sessions Judge John J. Freschi.

Edwins' deputy, F. F. Steininder, is better off financially than the sheriff, the district attorney said. Steininder came up with Edwins in Edwins' car, and is allowed $3 a day for expenses.

Edwins said Burrows was wanted in connection with the shooting of two white men in the Edgewater Hotel in Gulfport, Miss., last April 6. He said the negro was hunted with bloodhounds for two days but eluded a posse by swimming away in the Bayou Bernard River.

Burrows pleaded with the judge not to release him to the sheriff.

Burrows' attorney, Daniel Crichton, of the National Association for the Advancement of the Colored Peple, told a magistrate before whom the case was heard earlier, "This man hasn't got a chance if he goes back to Mississippi."

The court adjourned further hearing until Monday.

N. Y. Returns Fugitive To South

Guardian Boston, Mass.
MAR 20 1943

Miss. Governor Pledges Burrows Safety During Trial

NEW YORK, N. Y.—Guaranty of the safeguard of George A. Burrows, a cook, who fled Mississippi after shooting his way out of a group intent upon his lynching for an alleged attempt to kiss a white woman was secured this week by Thurgood Marshall and Donald Crichton, counsel for the NAACP. The NAACP appealed to Governor Dewey to act against the extradition of Burrows. Governor Dewey announced on March 10 that Burrows would be returned to his home state with the personal pledge of Governor Johnson of Mississippi that he would have the "full protection of law." MAR 20 1943

Additional safety was assured Burrows in his being sippi by train rather than in the automobile of the Mississippi sheriff who had come to New York to get him. MAR 20 1943

The NAACP announced that it is now in the process of obtaining competent counsel to defend Burrows when he reaches Gulfport. MAR 20 1943

As a result of routine police investigation Burrows was questioned and found by New York Police not to be in possession of a draft card. Further questioning revealed that in 1942 he had been employed as a cook in the Edgewater Hotel, Gulfport, Miss. It was learned that in April Burrows had been ordered at the point of a pistol into the basement where he was brutally beaten by five white men. During the beating the men repeatedly told him that he would be lynched as soon as it was dark. He says he was not informed at the time of the reason for the beating or the threat of lynching but in his fear and desperation to escape the lynching he fired a pistol and it is alleged that he wounded two of his would-be lynchers. Burrows ran into the woods where he hid for four days during which time the Mississippi authorities hunted him with blood hounds and posse. Later Burrows escaped to Cuba and thence to New York. MAR 20 1943

The New York police authorities communicated with Mississippi and received a wanted circular dated April 8, 1942 from Sheriff R. C. Edwards of Gulfport, Mississippi stating as follows: MAR 20 1943

"Wanted for attempted rape of a white woman and dangerously shooting two white men." Burrows was arrested by the N. Y. City police on Feb. 25, 1943 and held without bail.

In Felony Court, New York, City Sheriff Edwards stated that Burrows "pushed five dollars into the hands of a white woman and begged for a kiss and that while he was being apprehended by two citizens Burrows shot them and escaped." MAR 20 1943

7093

Washington Tribune
Washington, D. C.

Governor Dewey Blunders

MAR 13 1943

We think that Governor Thomas E. Dewey, of New York, blundered when he signed papers permitting the extradition to Mississippi of George Burrows, wanted by authorities in that lynch state for "attempting to kiss a white girl."

Last week, when arraigned in court, Burrows fell to his knees as he plead with the judge not to send him back to Mississippi for fear he would be lynched.

The Judge postponed the case to give Governor Dewey an opportunity to study a brief presented to him on behalf of the N.A.A.C.P., in which it was contended that Mississippi was not a safe state for a Negro to be extradited. Governor Dewey overlooked contentions of the N.A.A.C.P., and signed the papers. Today, Burrows, in custody of a Mississippi sheriff and his deputy, is en route to Gulfport.

MAR 13 1943

Governor Dewey, in signing the papers, explained that he had received assurances from Mississippi's Governor Paul B. Johnson, that no physical harm would come to Burrows pending a fair trial.

MAR 13 1943

Knowing Mississippi's history for lynching Negroes any time a white girl, or a white man, for that matter, complains, and with the recent Shubuta lynchings of two 14-year-old boys fresh in his mind, Governor Dewey certainly had cause for a reasonable doubt and should have resolved the doubt in favor of Burrows.

Governor Johnson or any other Governor of Mississippi, are not going out of their way to prevent a lynching, or to prosecute lynchers. By their silence they have given consent.

MAR 13 1943

Governors in other Northern and Western States have refused to extradite Negroes to states where lynching is their pastime.

MAR 13 1943

We are disappointed with Governor Dewey. Knowing how ambitious he is for the President's chair, we might suggest, he had better guard his acts lest they be interpreted as endorsing lynch law. For should that impression become prevalent, not only would he lose votes sufficient to keep him from the White, but to get him from the Governor's chair as well.

The Daily Worker
New York, N. Y.

Name Lawyer To Defend Burrows

APR 10 1943

A prominent Gulfport, Miss. lawyer has been retained by the National Association for the Advancement of Colored People to defend George L. Burrows, Negro cook who was sent back to Mississippi by Governor Dewey several weeks to stand trial for "attempted rape."

APR 10 1943

Thurgood Marshall, special counsel for the NAACP, said in making the announcement yesterday that Burrows' lawyer, whose name cannot be made public at this time, declared himself interested in the "human" as well as the legal aspects of the case.

APR 10 1943

Burrows escaped from would-be lynchers to New York and had been working in this city when apprehended by police and held, upon solicitation from the sheriff at Gulfport, for extradition to the state which late last year lynched two Negro children. New York progressives supported the NAACP's appeal to Dewey not to extradite the man, but the Governor, asserting that the chief executive of Mississippi had pledged to protect Burrows and to see that he got a "fair trial," returned him.

Burrows is in the prison at Jackson, Mississippi state capital.

Bystander
Des Moines, Iowa

NAACP COUNSEL TO DEFENDING BURROWS

APR 15 1943

Gulfport, Miss.—The National Association for the Advancement of Colored People revealed this week that it has retained a white Mississippi lawyer as counsel for George Burrows, cook, who was returned here after fleeing Mississippi following his escape by shooting his way out of a group intent upon his lynching.

APR 15 1943

Burrows awaits trial in Hines county jail, Jackson, Mississippi, where he was sent for safety. He was sent back to Mississippi after the NAACP had appealed to Governor Dewey to act against his extradition, because it was feared that his life would be in jeopardy if he returned to Mississippi. Dewey received a pledge from Governor Johnson of Mississippi that Burrows would be given safe conduct to the jail and that he would be accorded a fair trial.

APR 15 1943

7094

Gov. Dewey Sends Negro Back To Mississippi To Face 'Rape' Trial

Chicago Defender Chicago, Illinois

BID TO A LYNCHING

NEW YORK CITY. — The wheels of Southern "justice" ground fast and exceedingly fine here last week when Gov. Thomas E. Dewey sent a Negro fugitive prisoner, George A. Burrows, back to Mississippi for a possible lynching, to which invitations have already been sent out—through handbills circulated throughout the state—by Sheriff R. C. Edwins of Gulfport.

Just prior to his departure, Burrows—charged with asking a white girl for a kiss and shooting two white men—had tearfully pleaded from behind the bars of his cell, asking "all colored and white people interested in his case" to help save him from the lynchers' rope.

Gov. Dewey, it was stated, had signed the extradition papers after receiving definite assurances from Gov. Paul Johnson of Mississippi that Burrows would suffer no physical harm, pending a fair trial. Burrows, a former Gulfport cook, since his flight North, has persistently denied that he annoyed the girl, and that he shot the two men because they were beating him.

Bad Arithmetic

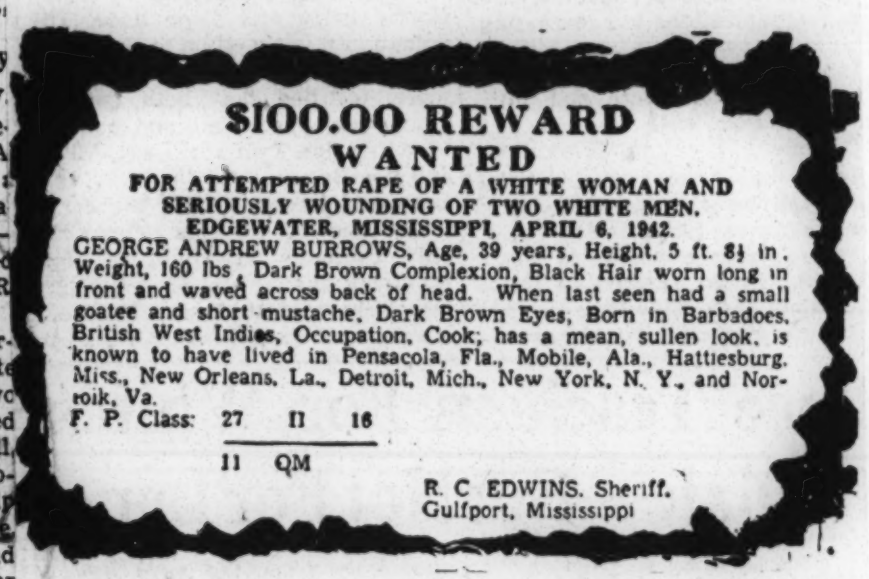
Taking personal charge, Gulfport Sheriff Edwins, in addition to the handbill invitations he had sent out—made the trip to New York to take the prisoner back, so he would be sure there would be no hitch in his arrangements.

Tall, lanky, raw-boned and described as a typical, tobacco-chewing cracker of the old school, Sheriff Edwins declared it would be best for all concerned if Burrows were turned over to him. He was in no danger, he said, adding: "There ain't never been a lynching in Harrison (his) county."

But Sheriff Edwins' arithmetic is as bad as his English. Records show that more than 150 lynchings have been recorded in Mississippi and there is no estimate of the number 'not on the books.' Eight of these lynchings have taken place in the Sheriff's Harrison county. Two have occurred in Gulfport, to which city Edwins is now taking the helpless prisoner, Burrows.

Governor Criticized

Gov. Dewey has come in for considerable criticism for his action inturning Burrows over to Sheriff Edwins.



$100.00 REWARD
WANTED
FOR ATTEMPTED RAPE OF A WHITE WOMAN AND SERIOUSLY WOUNDING OF TWO WHITE MEN.
EDGEWATER, MISSISSIPPI, APRIL 6, 1942.

GEORGE ANDREW BURROWS, Age, 39 years, Height, 5 ft. 8½ in., Weight, 160 lbs., Dark Brown Complexion, Black Hair worn long in front and waved across back of head. When last seen had a small goatee and short mustache. Dark Brown Eyes, Born in Barbadoes, British West Indies, Occupation, Cook; has a mean, sullen look, is known to have lived in Pensacola, Fla., Mobile, Ala., Hattiesburg, Miss., New Orleans, La., Detroit, Mich., New York, N. Y., and Norfolk, Va.

F. P. Class: 27 11 16

11 QM

R. C EDWINS, Sheriff.
Gulfport, Mississippi

The above is a reproduction of a mob-inciting handbill circulated through Mississippi by Sheriff Edwins of Gulfport, who made the trip personally to New York to take back to Gulfport, George Burrows, a former Negro cook there, wanted for "attempted rape and shooting two white men. In New York, the sheriff admitted that "Burrows never even touched" the alleged victim, whom he is accused of having "asked for a kiss."

Burrows, despite the protests of scores of interested citizens of both races and of civic organizations. Also, despite the admission of Sheriff Edwins—under questioning by reporters—that there was no "attempted rape" by Burrows and that the Negro prisoner had not so much as touched the woman alleged "mistreated."

In an effort to "explain" his action, Gov. Dewey called a special press conference at his office in the State Capitol. He said he had signed Burrows' extradition warrant, as a "routine" matter several days ago but had held it up on final action after the flood of protests from hundreds of citizens and organizations, including the National Negro Congress, the N.A.A.C.P., the National Lawyers' Guild, the American Civil Liberties Union and other groups.

Burrows' defense was supplied by the N.A.A.C.P. Atty. Donald Crichton being asisgned to the case. Gov. Dewey "explained" that he had talked over the phone with Gov. Paul Johnson of Mississippi before

from Gov. Johnson that Burrows' physical safety would be protected," and that he would "be given a fair trial in accordance with law."

Garage Worker Indicted As a Robber and Rapist

JAN 20 1943

N. Y. Daily News, New York, N. Y.

A garage worker was indicted yesterday on charges of robbing and raping a secretary in her Tudor City apartment. Her name was withheld.

The suspect, William Gardiner, 21, was also questioned about the fatal dim-out stabbing of Dorothy Huber, Bronx bakery employe, on Jan. 4, while she was on her way to work.

The secretary, the police said, was raped five times by a man who broke into her apartment about 3 a.m. on Jan. 10. He threatened her with a knife at her throat. He escaped with cash from her purse, a radio, and a $100 wrist watch.

Police recovered the watch and radio at a pawnshop, and arrested Gardiner yesterday as he entered another pawnshop

Peoples Voice
New York, N. Y.

Held for Assault; May Face Murder

JAN 23 1943

William Gardner, 21, was arrested Monday, on charges of robbing and criminally attacking a white woman in her E 43 st apartment on Jan. 10. Police immediately launched a new investigation seeking possible connection of Gardner with the slaying of Dorothy Huber in the Bronx on Jan. 4.

In connection with the Huber slaying, police spent the better part of a week recently, seeking to secure a confession to the crime from Edward Gaillard, night watchman in a garage near the scene of the slaying. Gaillard is now waiting hearing on a concealed weapon charge.

JAN 23 1943

Police withheld the name of Gardner's alleged victim, said however, that she has identified him as the man who entered her apartment thru a fire escape, forced himself on her at knife-point, then fled with $18, a wrist watch valued at $100, a wallet and radio. Detectives of the E 51 st station recovered the watch and radio in a 125 st pawnshop, they said. The shop owner is also said to have given a description of the man bringing the articles to him which tallied with that given the police by the woman.

Gardner is also said to have admitted to Det. Capt. Edward Dillon that the charges are "partly true." Police also report that a knife was found in the pocket of Gardner's overalls.

JAN 23 1943

Gardner, a garage worker, lives at 116 W 124 st.

SPEED INDICTMENT IN ATTACK ON NURSE

"New York Times" N.Y. N.Y.

Grand Jurors Act 14 Hours After Negro's Arrest as He Pawns Stolen Goods

JAN 20 1943

Less than fourteen hours after his arrest in Harlem, the grand jury returned yesterday a seven-count indictment, involving charges of burglary, robbery and rape, aoainst William Gardner, 21 years old, a Negro, in an attack at 3 A. M. on Jan. 10 on a Red Cross nurse in her apartment in Tudor City. Assistant District Attorney Manuel Lee Robbins said Gardner had confessed the attack.

Soon after the indictment was handed up to Judge James Garrett Wallace in General Sessions, Gardner was arraigned in the same court. But his pleading was adjourned until today because he had no lawyer. He was remanded to the Tombs. Judge Wallace announced he would appoint Edward E. Tighe of the Voluntary Defenders as his defense counsel.

Lieutenant George Byrne and several other detectives questioned Gardner about the fatal stabbing of Miss Dorothy Huber, early on the morning of Jan. 4 at Wales Avenue and 145th Street, the Bronx, as she was on her way to work in the Ward bakery near by. Gardner denied any connection with the murder. Lieutenant Byrne said yesterday he was satisfied Gardner had no part in it.

Besides the robbery, burglary and rape counts in the indictment, there is one for larceny, two for second-degree assault and brandishing a large knife and one for possessing this weapon.

Gardner was said to have admitted he had entered the second floor apartment of the nurse, whose identity was withheld, through a fire escape window while she was asleep. He also was said to have admitted that he was following another white woman in the dimout on the street, intent on attacking her, when his attention was drawn to the nurse's apartment by a light near the fire escape window.

District Attorney Frank S. Hogan said: "This is one of the most vicious crimes within my recollection. We intend to give the man a speedy trial. If he is convicted, we shall ask that the maximum penalty be imposed on each count." The total penalty for the seven counts in the indictment is 103 years.

JAN 20 1943

World-Telegram
New York, N. Y.

Negro Held in Rape Is Quickly Indicted

JAN 19 1943

William Gardner, 21, a tall, husky Negro garage worker, was arrested today on charges of rape and robbery growing out of a vicious attack last week on an attractive woman secretary.

The woman, whose name police withheld, was asleep in her Tudor City apartment when a Negro entered from a fire escape window about 3 a. m. on Jan. 10, she told police.

At the point of a switch-blade knife, she said, he forced her to get out of bed, threw her to the floor and raped her five times within a three-hour period. He left after taking $18 from her purse, a wrist watch valued at $100, a wallet and a radio.

Detectives Thomas Kenny, Rudy McLaughlin and Charles Kleber, of the E. 51st St. station, concentrated on pawnshops. They soon recovered the watch and radio which had been pawned on W. 125th St. for $5.

JAN 19 1943

The pawnshop owner gave a description which tallied with the one given by the woman, police said. A 24-hour watch was set over several addresses and yesterday afternoon Gardner was arrested when he entered another pawnshop at Eighth Ave. and 116th St. with a coat over his arm. Police found a knife in his pocket.

A search of his room at 116 W. 124th St., police said, disclosed the woman's wallet, containing her identification card, and another woman's purse.

The purse later was identified as belonging to a Bronx woman whose apartment was entered Saturday night by a Negro intruder. The burglar threatened her with a knife, police said, but did not rape her.

Police said also that Gardner's fingerprints tallied with prints found in the Tudor City apartment.

JAN 19 1943

Questioned in Huber Killing.

Gardner was booked early today at the E. 51st St. station.

Within an hour after his arrest he had been indicted for rape, robbery, burglary, grand larceny and assault, all in the first degree. He has confessed he raped and robbed the woman, according to District Attorney Frank S. Hogan, who said:

"This is the most vicious crime in my recollection." The reason for the speedy indictment is to place this man on trial just as quickly as we can. If convicted, and I have no doubt he will be, I will ask that the maximum punishment be meted out."

JAN 19 1943

The maximum penalty is 80 years.

Mr. Hogan said that bail of $25,000 would be asked at Gardner's arraignment in General Sessions.

JAN 19 1943

Among those who questioned him was Lt. Edward Byrnes, of the Bronx Homicide Squad, who expressed belief Gardner might know something of the mysterious street stabbing on Jan. 4, of Dorothy Huber, Bronx bakery employee, who was killed at 145th St. and Wales Ave. on her way to work.

The Daily Worker
New York, N. Y.

Police Seized First Negro At Hand, Lawyer Charges

By Eugene Gordon

APR 22 1943

Stung into action by the newspaper hate-the-Negro campaign, the police "had to get somebody" for the alleged attempted rape of Gladys Kourin in the early morning of March 17, so they got Norman Smith, "the first black man they came across," it was charged yesterday morning by defense counsel in the trial of the 17-year-old Sunday school worker and prize-winning music student.

The trial, now in progress in Part 2, Court of General Sessions, 100 Center St., will be resumed at 10:30 this morning with Judge John J. Freschi's charge to the jury.

Harrison Jackson, the defense counsel, reviewed in his summation the weeks of newspaper smears against Harlem and the Negro people. He pointed out that on the morning of Smith's arrest 1,000 policemen were scattered through that area with orders to make arrests, regardless of consequences. The newspapers put pressure on Police Commissioner Valentine, Mr. Jackson declared, and "Valentine put pressure on the police to arrest somebody."

APR 22 1943

"They were out to get a colored man," Mr. Jackson said. "They would have arrested me, if I had been there instead of him," pointing to the young defendant.

NEEDED SOMEONE

Mr. Jackson recalled arresting officer Rossiter's saying on the witness stand that he had doubted Smith's guilt, having found the youth more than a block away on a subway station platform and noticing that he was not excited or nervous and that he made no effort to escape.

"If there was doubt at that time, there still is doubt," Jackson said. "Nothing has happened to change anything. I only wish patrolman Rossiter would get up here on the stand and admit that he still has doubt of Smith's guilt. But he can't do that. He can't put his brother cops on the spot."

Rossiter's "brother cops" had persuaded him that Smith was guilty, and, although he did not believe it, he went along with them, Mr. Jackson said. He added that Rossiter had set out to find a victim, attempted to answer the "colored" man and had arrested the first one he saw, though at that time not knowing why the man was being arrested.

"We talk about the Four Freedoms," Mr. Jackson pleaded. "Let the Four Freedoms be recognized here in this courtroom. We are not fighting to further enslave the oppressed. We are fighting to liberate them."

Jackson highlighted his charge of frameup by reminding the jury that Smith had not been told why he was being arrested there in the subway. The reason, the attorney declared, was that, driving to the scene of the alleged crime, Rossiter had been told by a somebody on the sidewalk that a "colored man" had run toward Broadway from 159th St.

Assistant District Attorney Livingston Goddard, in the State's summation, attempted to answer the criticism directed at Miss Kaurin, Judge Freschi interrupted, saying that Mr. Jackson last Friday had said he had finished cross-examining her.

APR 22 1943

Judge Freschi ordered the records read aloud, to prove his statement.

DEFENDS COPS

Embarrassed silence followed the reading of the record, for it showed that the judge and the defense counsel had argued for the defendant's right to hold Miss Kaurin in New York for further questioning, the judge finally insisting that she leave the city if she wished, disregarding defense counsel's protest that his case would thereby be weakened. APR 22 1943

Mr. Goddard, in summing up, defended the police as above reproach, scoffing at the idea that they would frame anybody. He implied that anyone who believed the police capable of framing a citizen was himself a criminal.

Defense bitterly objected to the prosecution's use of the term "mugging," as applied to the alleged assault on Miss Kaurin, pointing out that it had been previously kept out of the trial. Judge Freschi at first defended use of the term. He later ordered it stricken from the record. APR 22 1943

Woman Charges Elevator Attack

World-Telegram
New York, N. Y.

An alleged attempted rape of a housewife in the automatic elevator of an apartment house at 1290 Grand Concourse, the Bronx, caused the arrest last night of James Coop, 43, who told police he had no permanent address and that he was employed as a window washer. Coop admitted the offense, police say.

The woman told Detectives William Colby and James Curley of the Bathgate Ave. station that the Negro entered the elevator on the ground floor of the apartment house with her, then asked to what floor she was going. She told him the fifth and he pressed the button for that stop.

As the elevator ascended, the woman said, the man seized her. She screamed and fought him off, and when the car stopped at the fifth floor she broke away. Coop closed the door and went down again to the ground floor, she said.

The woman's husband, employed in a war plant, heard his wife's screams and ran from the apartment. She told him what had happened and he raged down the stairs to the street where he caught up with Coop and floored him with a stiff right hook to the jaw just as detectives summoned by neighbors who had heard the screams came along to make the arrest.

World-Telegram
New York, N. Y

College Girl Assaulted in Dimout At Point of Knife in Brooklyn

An attractive college girl of 19 attended Passover Seder ceremonies lats night at the home of a friend in Brooklyn. She borrowed an armful of detective stories and started out for home in the wind and driving rain of a wild night.

Her friends urged her to stay overnight, the storm was so fierce, but she would not and started walking in the dimmed-out windy street. She waited at a dark corner of Church Ave. and E. 96th St. A man approached, seized her, dragged her to a driveway in a black side street.

Threatened with Knife.

"Don't hurt me!" she pleaded, according to her story told later to detectives in Kings County Hospital. "I'm a college girl."

The man showed her a knife, threateningly. He said, she quoted:

"Yeah? What college?"

She said she was a student at the business school of City College.

"Why," the young man was quoted as saying, "I know some of the teachers there."

Her Cash Taken.

He waved the knife; she pleaded to be spared from any harm; he threw her to the ground and raped her. For 45 minutes she lay there in the dark and rain, she told detectives, and the young man stood over her, talking.

Detectives did not detail the long conversation. Finally he said:

"Give me some money." She said she had only $1.50, but she offered it and he snatched it from her. She guessed later she must have fainted, because suddenly she became aware that she was alone, cold, wet and frightened.

She struggled to her feet and went to the nearest house, knocking on the front door. It was 10 o'clock and there was no answer. She tried again without luck, and finally, at the third house, the door was opened and a man looked out at the wet, bedraggled girl. He slammed the door in her face.

Helped by Police Clerk.

The girl rang the bell at the home in E. 96th St. of Miss Anne Karp, a civilian clerk employed in Manhattan Police Headquarters. Miss Karp said later:

"When I opened the door I saw a girl standing there who was bruised and [illegible] and soaking wet. She mumbled [illegible] followed me. He hurt me. Can I come in?' " Miss Karp telephoned for the police and an ambulance. "I put her to bed," she said, "and gave her some brandy and hot tea. When detectives came I told them briefly about it. They went to the scene and later returned with some detective story books that had been scattered about."

The alarm sent out for her attacker by police said he was a Negro, about 5 feet 9, wearing a pork-pie hat, a blue shirt, a dark suit.

PEOPLE AND PLACES

Defender
Chicago, Ill.

By WALTER WHITE

Does The Lie Detector Work?

I HAVEN'T the vaguest notion how accurate or efficient the psychogalvanometer or "lie detector" machine really is. It is easy to imagine an experienced, cold-blooded liar so controlling his emotions that he could cause the machine to register negative. Or an innocent but highly emotional individual reacting through fright or nervousness in such fashion as to make the needle oscillate madly and positively. But the inventors claim that tangibles and intangibles of this character have been so taken into account that the machine comes pretty close to revealing accurately whether the subject to whose hands [illegible] been taped the silver plates of the lie detector is lying or telling the truth.

Walter White

Murray Goldman of New York City today is thankful there is such a machine. He was found guilty by a jury of rape on a thirty-one-year-old woman who was an attendant in a Brooklyn hospital. Described by a New York newspaper as "a tall, gaunt country girl from Drury, Mo.," the woman charged that last July 1 Goldman entered her room on the second floor of the hospital and attempted to rape her. When another nurse entered the room, Mrs. Hancock screamed. Goldman fled and was arrested outside the hospital by a policeman whose attention had been attracted by the screams of the nurse who had intruded upon the rendezvous.

What If He Was Colored?

GOLDMAN TOLD the court in vain his version of the story. He related that last May he had assisted Mrs. Hancock with a heavy bag in the subway. She had gone voluntarily with him to his room and sexual intimacy began then and continued for several weeks. Only when he had gone to the hospital at her request [illegible] she was married to a man in the navy. The woman had charged rape when the fellow-nurse had caught them together. But the jury had believed the woman and found Goldman guilty. At least ten years faced him in Sing Sing when Judge Leibowitz decided to try the lie detector.

But suppose Goldman had been colored. Even in New York City the Hearst press and the New York Times would have so headlined race that another "crime wave" would have gone down in the records and in the memories of New Yorkers. And I could not help but speculate as I read the story of Goldman and Mrs. Hancock on how many Negroes have gone to their deaths at the hands of lynching mobs or in the electric chairs of the country, particularly in the South, on precisely the same kind of "evidence."

Within my own experience, as an investigator of lynching I have found many cases where white women had screamed rape when caught with Negro lovers whose attentions the women had sought. I do not allege for a minute that every Negro charged with or executed for rape was innocent. But I do assert that had lie detectors been used and the truth proved, the male Negro population of the United States would today be sizably larger.

Promiscuity: White and Negro

SPEAKING OF WHITE MORALS in this troubled era when a studied campaign seems to be spreading all over the country to prove that Negroes have low morals, Dr. George W. Crane, the widely syndicated columnist, revealed the other day some interesting facts about a case he had uncovered. At a meeting of Boy Scouts, Dr. Crane had met a very important business executive. On being asked by Dr. Crane why he took time out of his exceedingly busy life to devote to work with youth, the business man told of a fifteen-year-old girl in his home town who had charged a schoolmate with being responsible for being pregnant.

The superior economic conditions which breed that behavior aren't the answers either. As long as minorities can be penned in ghettos, shut off from opportunities and rights they see others enjoying, and denied hope we are going to have crime and delinquency. So let's get at the roots and also remind superior, moralizing whites that those who live in glass houses had best revise some of their own behavior codes of sexual to which we are not blind.

371-1943
Chicago Defender
Chicago, Illinois

THE CASE OF WILLIAM WELLMAN

JAN 2 1943

Public opinion has forced J. M. Broughton, governor of North Carolina, to grant a 60-day reprieve to William Wellman, the Negro laborer condemned to death for a rape allegedly committed on a 67-year-old white woman.

The governor, in his statement granting an extension of life, said: "It is quite obvious that the prisoner couldn't have been working at Fort Belvoir and have committed the crime in Iredill County on the same day. I will continue to study the facts in the case."

It would appear in the governor's admission that future study is not necessary. The evidence is that the Negro was working at Belvoir the day the crime is supposed to have happened and signed the pay roll on his job. This should be conclusive.

Further investigation means further agony and torture to an innocent man. It also means further vigilance on the part of all Americans who want to end legal lynching as a means of unifying our country and mobilizing all its forces for victory over Hitler and Hitlerism.

The Wellman case has all the earmarks of a step in a campaign of terror against the Negro people. Such a campaign inspired by the Poll Taxers to save their regime plays directly into the hands of all fascist minded groups in our country.

JAN 2 1943

For the cause of victory the conspiracy against Wellman must be smashed.

Charles H. Houston, Wellman's counsel, needs the support of the country in this fight. Letters should be sent to the governor calling for the freedom of the innocent on the basis of the governor's own words.

The Daily Worker
New York, N. Y.

Wellman Freed, Rape Frameup in Carolina Exposed

APR 17 1943

(Special to the Daily Worker)

NORTH CAROLINA

7096

RALEIGH, N. C., April 16.—Governor J. M. Broughton yesterday granted a full pardon to William Wellman, Negro laborer under sentence of death for "rape." The governor declared in his statement accompanying the pardon that investigations showed Wellman was not in North Carolina at the time the alleged crime was committed. The pardon follows a year's campaign by North Carolina and national labor and other progressive organizations in his behalf, led by the National Federation for Constitutional Liberties and the National Association for the Advancement of Colored People and aided by the Communist Party and the Daily Worker.

APR 17 1943

William Wellman, Negro laborer at work on a construction job at Fort Belvoir, Va., 400 miles from Statesville, N. C., on the afternoon of Feb. 11, 1941, was charged with "rape" of a 67-year-old woman at Statesville on the afternoon of that same day.

He was extradited to North Carolina, tried, found guilty and sentenced to death without a chance to present witnesses. As a result of the court's ruling on the question of defense witnesses, a mass of evidence from the construction company's files, including time records, was not introduced at the trial.

APR 17 1943

These records, according to Charles H. Houston, counsel employed for Wellman by the National Association for the Advancement of Colored People, proved the convicted man's innocence with "almost mathematical certainty."

First, there was the daily time sheet of the construction company—the Charles H. Tompkins Co. For Feb. 10, 1941, the day before the alleged rape, the time sheet said that William Wellman, No. 13736, began work at 7:30 A.M. and quit at 4 P.M. It said that he was checked, along with 29 other laborers, twice in the field that day.

Secondly, there was the company's time sheet for Feb. 11, the next day—the day of the supposed rape at Statesville, 400 miles away. This time sheet, as unconcerned as the first about William Wellman except as a laborer, said he began work at 7:30 A.M. and stopped at 4—when his 29 fellow laborers stopped. It named the checker as T. H. Pearson, time keeper.

Thirdly, there was the Charles H. Tompkins Co. pay roll for the week beginning Sat., Feb. 8, 1941. This pay roll, even more impersonal, if possible, than the other documents (since no pay roll of a hard-boiled contracting firm would pay a laborer who had not worked) said that Wellman worked 4½ hours Saturday, eight hours Monday, eight hours Tuesday (the day he allegedly committed the "rape"), eight hours the day after. And to the end of that week.

Fourthly, there was the receipt for the previous week's pay. What made this receipt one piece of evidence which proved Wellman's innocence with "almost mathematical certainty" was that it was signed in his own hand on the afternoon of Feb. 11, the very afternoon he allegedly raped a woman 400 miles distant.

APR 17 1943

"Governor Broughton, studying the foregoing evidence—evidence which the court had ruled out as immaterial—decided that Wellman should at least be reprieved until the case had been more fully investigated. The governor on Dec. 16, two days before the prisoner was to hang, issued a reprieve, at the same time remarking:

APR 17 1943

"It is the opinion of the parole official and the handwriting expert, and my own opinion, that the signatures of William Wellman on the pay-roll receipts are genuine. It is quite obvious that the prisoner couldn't have been working at Fort Belvoir and to have committed the crime in Iredell County on the same day. I will continue to study the facts in the case."

APR 17 1943

The persons and organizations which fought for Wellman had long held the precise position the governor of North Carolina assumed in his statement. Their expectation being that reprieve would lead to eventual pardoning.

Star of Zion
Charlotte, N. C.

Justice And Justice

MAY 6 1943

Governor J. M. Broughton of North Carolina will undoubtedly come in for a great deal of commendation and condemnation for his freeing of Wellman, the Negro, who had been convicted and sentenced to die for a crime, which the governor's investigators say he could not have committed. A lawyer at Statesville gives, in the Charlotte News, his reasons for thinking the Governor has made a very grievous mistake.

It was just a little more than a year ago that Governor Darden of Virginia was faced with the responsibility of deciding, in the famous Waller case, whether to free a man or at least commute the sentence of a Negro tenant farmer who from all evidence in the case could not have been guilty of first degree murder. We know of no instance when there was greater provocation for the homicide than in the case of Waller. Yet Governor Darden was not willing to brave the storm of criticism which might have followed by even commuting the sentence to one of life imprisonment.

MAY 6 1943

Even granting that Governor Broughton made a mistake, we do not think he has, he upheld the principle of law that it is better for one hundred guilty men to go free than that one innocent man should die. Knowing the governor as we do, we were not greatly surprised that he made this decision to free a man, whose guilt there was such an enormous element of doubt.

MAY 6 1943

We highly commend him for having the courage to do what was manifestly his duty to do. Executive clemency is not intended to frustrate justice; it is a necessary remedy when justice has evidently miscarried.

APR 24 1943

Doomed N.C. Attack Suspect Pardoned

Baltimore Afro-American Md

APR 24 1943

Appreciation for the governor's uncondi- "courageous action" in granting ed by Gov. the pardon was expressed in a eek to Wil- telegram from the national office had been of the NAACP which said in part: a criminal "This act will increase faith of he was 350 thirteen million colored Ameri- acted on cans and many white Americans n effecti in the democratic process. We are of ex proud to have worked with you in seeing that justice was done."

The association, through W. Robert Ming and Dr. Leon A. Ran- som, members of its national le- gal committee, had fought Well- man's extradition from Washing- ton, where he was arrested. Hosea V. Price of the Winston-Salem NAACP branch represented the suspect in his ple

APR 24 1943

Reprieve Permitted Probe

Wellman's execution had been set for last December 18, but a 60-day reprieve was granted by Governor Broughton on December 16, to allow time for an investigation by the State Paroles Commission.

APR 24 1943

The governor's pardon statement said in part:

"The very thorough investigation conducted by the parole office under my direction has disclosed beyond any question, so far as my judgment is concerned, that the prisoner was not in Iredell County on the day this crime was committed.

Evidence "Unmistakable"

"The crime on which this conviction is based, was committed about 1:30 in the afternoon. In view of the unmistakable evidence that the prisoner was working at Belvoir on that day, I am forced to the conclusion that he . . . did not commit the crime.

"In the face of this conclusion, I have no alternative as a matter of conscience and in the interest of justice other than to grant this

APR 24 1943

"Ordinarily, capital cases are disposed of by commutation from death sentence to life imprisonment. However, as I view this case, if the prisoner committed the crime, he would justly deserve to die. If he was not in the county at the time and did not commit the crime, as I have concluded, there would be no just basis for retaining him in custody."

The governor commended the

Commended by NAACP

rely fair, but pointed out that documentary evidence obtained in the final investigation was not available at the trial.

Judge Now Agrees

His statement included a letter from the trial judge, written after he had seen all the records, agreeing in effect, with the governor's evident intention to grant a pardon.

APR 24 1943

The governor's statement continued:

"While interested individuals and groups have shown a genuine desire to assist in the investigation that has been conducted, the essential facts upon which clemency is based were developed in the investigation conducted by the office of the Parole Commissioner under my direction.

"I have the deepest sympathy for the victim of the brutal assault that was unquestionably committed. She is an honorable woman of the highest integrity.

"Every facility of the State will continue to be engaged in the effort to apprehend and punish the individual guilty of this shocking crime.

"However, in view of my very definite conviction that William Mason Wellman is not the guilty person and had no connection with the crime, I would consider it a miscarriage of justice to permit him to die or to remain longer in custody."

The National Federation for Constitutional Liberties, also active in Wellman's defense, issued a statement in New York Friday terming the pardon "an act of justice which will give Americans renewed faith in our democracy and in the cause for which we are fighting."

APR 24 1943

The federation's contribution to the evidence presented to Governor Broughton included an affidavit, received by V-mail, from Lieut. John A. Hodgson, former U.S. Government time-keeper now on duty with the army overseas.

War Department Commended

Commendation of the War Department for its co-operation in effecting transmission of Lieutenant Hodgson's affidavit was expressed by Charles H. Houston, Washington attorney, who said:

"We have must to complain about concerning the War Department, but I wish to take this occasion to thank the department and the officers concerned for their co-operation in saving an innocent man's life."

APR 24 1943

Chicago Bee
Chicago, Illinois
D. C. Governor

Pardons Man In Rape Case

RALEIGH, N. C., Apr. 22—Granted an unconditional pardon by North Caroline's governor, J. M. Broughton, William M. Wellman, Negro, sentenced to die on charges of raping an elderly white woman, walked out of Central prison late Thursday, a free man. He was convicted last August of the crime, which allegedly occurred in Iredell on Feb. 11, 1941, and sentenced to die on Dec. 18, 1942.

At the time of Wellman's original arrest he was in Washington, D. C. He was extradited to North Carolina to face charges. Representing the condemned man was Hosea Van Buren Price, attorney for the Winston-Salem branch of the N. A. A.

APR 25 1943

Governor Explains Action

The governor explained the pardon in a lengthy statement, based on results of an investigation conducted by the state paroles commission. The investigation disclosed that on the day of the crime Wellman was at work—signed the payroll during the day—at Fort Belvoir, Va., 350 miles from the scene of the crime.

"I have today issued a full pardon to William Wellman, a prisoner of the Negro race under sentence to die upon conviction of rape. Under this act of executive clemency the prisoner has today been released from prison," said the governor's statement.

The results of the investigation disclosed that the prisoner was not in Iredell county, N. C., on the day of the crime but was on that day, Feb. 11, at Fort Belvoir, Va., near Washington, as an employe of Charles H. Thompkins company, a company under contract with the U. S. government.

APR 25 1943

Grants Reprieve to Investigate

A sixty day reprieve was granted by Governor Broughton when grave doubts arose concerning Wellman's guilt because a payroll record and time sheet showed that on February 11, the afternoon of the alleged rape, he was 350 miles away from the scene of the crime.

Wellman's extradition to North Carolina was bitterly fought by the NAACP. Active in the case were Robert W. Ming, and Dr. L. A. Ransom, Washington members of the NAACP national legal committee, and Thurgood Marshall.

N.C. Governor Pardons Wellman In Rape Case

Chicago Defender
Chicago, Illinois

NEW YORK—An unconditional pardon has been granted by Gov. J. M. Broughton of North Carolina to William Maison Wellman, laborer, who was convicted on charges of rape and sentenced to death.

APR 24 1943

Representing Wellman was Hosea Van Buren Price, attorney for the Winston-Salem N.A.A.C.P. branch.

On learning of the pardon Walter White, executive secretary of the N.A.A.C.P., sent the following telegram to Governor Broughton:

"On behalf of National Association for the Advancement of Colored People whose membership is biracial with many members in the South, we express our deep appreciation to you for your courageous action in granting an unconditional pardon to William Wellman. This act will increase faith of thirteen million American Negroes and many white Americans in the Democratic process. We are proud to have worked with you in seeing that justice was done to a man who was innocent of the crime of rape with which he was charged."

Wellman was convicted of the rape of a 67-year-old white woman. He was sentenced to die on December 18, 1942. At the time of Wellman's original arrest he was in Washington, D. C. He was extradited to North Carolina to face charges.

Orders Stay

A 60-day reprieve was granted by Governor Broughton when grave doubts arose concerning Wellman's guilt because a payroll record and time sheet showed that on February 11, the afternoon of the alleged rape, he was on a construction job at Fort Belvoir, Va., 350 miles away from the scene of the crime. Governor Broughton ordered a stay of execution in order to investigate the case.

Wellman's extradition to North Carolina was bitterly fought by the N.A.A.C.P. Active in the case were W. Robert Ming, and Dr. L. A. Ransom, Washington members of the N.A.A.C.P. national legal committee, and Thurgood Marshall.

The records of Charles H. Tompkins, the Washington building firm by which Wellman was employed showed that he worked on its Belvoir building job eight hours on the day of the alleged crime. It was the company's pay day and the accused man received his week's pay during the day.

From the official files and records of the U. S. general accounting files in Washington photostatic copies of the pay receipt bearing Wellman's signature were obtained by the N.A.A.C.P. Wellman's presence on the job that day was verified by the company's timekeeper and a government timekeeper both of whom signed the time sheet certifying that he worked the entire day.

APR 24 1943

The pardon of Wellman was hailed by the National Federation for Constitutional Liberties as an act of justice which "will give Americans throughout the country renewed faith in our democracy and in the cause for which we are fighting." The N.F.C.L. interceded in Wellman's behalf last December and was instrumental in obtaining basic evidence proving conclusively that Wellman was working at Fort Belvoir, Va., at the time of the crime.

APR 25 1943

Early this week a full statement making a final plea for Wellman's complete pardon was filed with Governor Broughton by A. J. Isserman and associate counsel Charles H. Houston and Nathan Witt, in behalf of the federation.

Soldier Held In Carolina Attack

Atlanta Daily

MANTEO, N. C. — (ANP) Upon complaint of a housemaid that he criminally attacked her last week, Pvt. Lester Holland, attached to the 111th infantry, stationed near here, was arrested by police and bound over Superior Court in $1,000 bond by Justice of the Peace, I. P. Davis. Holland was formally charged with "assault upon a female with intent to commit rape."

JUL 26 1943

Warrant for the soldier was sworn out by E. S. Wise, deputy sheriff, who, with Chief of Police Dan Canady and Speciall Officer Harry Smith, made the arest. They said the unnamed woman identified Holland as the man who ambushed her near Winbourn cottage last Thursday night where she is employed.

The Union
Cincinnati, Ohio

GOVERNOR PARDONS MAN!

New York, N. Y.—An unconditional pardon has been granted William Maison Wellman, laborer, who was convicted on charges of rape and sentenced to death here by Governor J. M. Broughton of North Carolina. Representing Wellman was Hosea Van Buren Price, attorney for the Winston-Salem N.A.A.C.P. Branch.

MAY 27 1943

Wellman was convicted of the rape of a 67-year-old white woman. He was sentenced to die on December 18, 1942. At the time of Wellman's arrest he was in Washington, D. C. He was extradited to North Carolina to face charges.

A sixty day reprieve was granted by Governor Broughton when grave doubts arose concerning Wellman's guilt because a payroll record and time sheet showed that on February 11, the afternoon of the alleged rape, he was on a construction job at Fort Belvoir, Va., 350 mies away from the scene of the crime. Gov. Broughton ordered a stay of execution in order to investigate the case.

MAY 27 1943

371-1943

Tennessee

7097

JUDGE ORDERS ALL SEARCHED DURING TRIAL

FEB 13 1943

FEB 13 1943

By O. B. TAYLOR

KNOXVILLE, Tenn., Feb. 11—(ANP)—After taking care of the usual run of cases, Judge Robert P. Williams in Municipal court last week stated, "It has reached the ears of the court that here in this court are those who plan trouble, as the next case involves the serious charge of criminal assault." He then at some length explained the duty of the court to protect any prisoner regardless of the crime charged against him.

The huge crowd seemed stunned when he closed his remarks by ordering every one to leave the room and return single file one at a time that officers might make a thorough search for possible firearms or any other dangerous weapon concealed.

FEB 13 1943

Charles Wallace, 32, was then arraigned facing four white women each of whom identified Wallace as the one who had attempted to assault her on the streets of the city at different interyals ranging from October 22 to January 2. Mrs. Nicholson, the last alleged victim, in identifying Wallace said "Yes, he is the one, I would know his hide in a tanyard."

Mystery Surrounds Alleged Rape Killer

The Plaindealer
Kansas City, Kan.

MAY 28 1943

Tullahoma, Tenn., May 28. (ANP)—A mob of 200 gathered around the Coffee county jail at Manchester, Thursday night, and demanded that George (Slim) Johnson, accused slayer of a white army officer's 19-year-old wife, be turned over to them, according to Sheriff Sim Banks. The mob did not disperse until Banks led two persons through the building to prove that Johnson had not been arrested. It is claimed that Johnson shot and fatally wounded himself the next day.

Johnson was sought in connection with the slaying of Mrs. Norma Faye Scogin, wife of Lt. Geo. L. Scogin of Des Moines, Ia., whose body was found early Wednesday beneath a brush pile on the reservation.

Mrs. Scogin had been shot twice through the breast and her head beaten, apparently with a pistol. A coroner's jury returned a verdict of murder and rape.

The pistol with which Johnson is said to have shot himself after being accosted by officers at the crowded Nashville bus station Friday had a broken handle. At the hospital before he died officers guarding him said that Johnson mumbled a desire to have "a pistol and three shots so's I can save all this trouble."

Sgt. J. J. Jackson of the state highway patrol said that before losing consciousness Johnson admitted shooting Mrs. Scogin and beating her with the butt of his pistol.

Johnson was sought on the basis of information furnished by Pittman Ward, 20, of Tullahoma, who first reported the crime to Coffee county officers and directed them to the body of the victim. Ward was being held in the county jail at Manchester as a material witness.

MAY 29 1943

Police Chief W. C. Hale quoted Ward as saying that Johnson commandered an automobile in which Ward and a Negro soldier had been riding and made them drive him and Mrs. Scogin, who was picked up later, to the point where the killing occurred. Johnson was trapped by police at a Nashville bus station.

ORDER NEW TRIAL IN RAPE CASE IN TEXAS

Chicago Bee
Chicago, Illinois

TEXARKANA, Tex., May 27—Because the original trial was dominated by fear of the mob spirit a new trial has been ordered for Mat Williams, Negro, convicted on a rape charge and sentenced to death here, it was revealed this week by the N. A. A. C. P.

Williams, 24, was indicted on last July 10 for the alleged rape of a 4½ year old white child.

The state relied for conviction on the statement made by the child soon after the alleged crime, her physical condition and the defendant's confession. At the time of the trial the defendant denied that the confession had been voluntary and said that he had been brutally beaten.

Williams also proved an alibi which was substantiated by other witnesses.

MAY 30 1943

The court set aside the conviction and ordered a new trial because it felt the place of the trial should have been changed. Three days after the indictment of Williams, Willie Vinson was lynched in the town of Texarkana for being suspected of attempted rape.

Shortly thereafter the Williams case went to trial. The scene of the trial was a crowded court room with the doors guarded. On being searched one spectator was found to be carrying a dagger. Texas Rangers were present. Near the judge was stacked rifles, machine guns and tear gas bombs. At the time the sheriff claimed this precaution was to protect Williams.

MAY 30 1943

Because of these circumstances, the Court of Criminal Appeals holds that the place of trial should have been changed.

7099

37L-1943
Peoples Voice
New York, N. Y.

Deny Death Verdict In Rape Sentence

JAN 23 1943

RICHMOND, Va.—The death verdict of Samuel Legions, charged with the rape of a young married white woman of Leesburg was reversed by Supreme Court last week on the grounds that the failure of the woman and her husband to offer effective resistance or to escape was "unbelievable even to the most credulous or naive."

JAN 23 1943

It was charged that Legions entered the home of the white couple October, 1941 and threatened the woman, her husband and baby.

Testimony revealed that the Negro's only weapon was a pocket knife which he never opened, yet the woman's husband made no attempt to protect his family other than striking Legions with a window shade. The court held also that neither the wife nor husband attempted to make any alarm.

The court ordered the case sent back for new trial.

Suspect to Go Free After Yr. in Death Row

also American
Baltimore Md.

RICHMOND—Samuel Legions, 23, of Leesburg, who saw Odell Waller walk to the chair and for whom former Congressman Arthur W. Mitchell and Dr. Charles H. Houston of Washington asked life imprisonment because they thought his doom had been sealed, will leave the penitentiary a free man this week.

JUN 26 1943

Legions was convicted in February, 1942, on a charge of raping a young white woman, but the State Supreme Court reversed his conviction on January 8, 1943.

Won't Press Case

On Tuesday the Loudon County commonwealth attorney, Charles E. Harrison, announced that he would not press for any further trial, and that Legions would go free.

The former Congressman and the Washington attorney last year asked Governor Darden to give Legions life because of the extreme difficulty in freeing colored men convicted of sex crimes against white women in the South.

Doubts Attack

The Court of Appeals ruled in January that it appeared that there was no rape because Legions was accused of entering the white woman's home with only a knife and cowing her and her husband.

Testimony had been to the effect that he tried to get in bed with the white man, his wife, and month-old baby, and that the only opposition he met was being struck with a window shade by the white man.

He was accused of forcing the woman into another room for the assault.

JUN 26 1943

The court held that there was every opportunity for the husband to have raised an alarm, but that he failed to do so.

May Free Man In Rape Case Death Sentence

People's Voice
New York, N.Y.

LEESBURG, Va.—Samuel Legions, 22-year-old Berryville youth sentenced to death on a charge of allegedly raping a white married woman, will apparently soon be free, according to N A A C P attorneys who have been handling his case.

JUN 26 1943

An entry of nolle prosequi was entered by the commonwealth attorney of Loudoun County last week, signifying that the case will not be pressed after the county court's conviction is reversed by the Virginia Supreme Court of Appeals.

JUN 26 1943

JUL 3 1943

Journal and Guide
Norfolk, Virginia

FREED AT LAST—After spending a year in jail on a rape charge of which he was innocent, 23-year-old Samuel Legions walks through the gates of Virginia State Penitentiary a free man. He was originally sentenced to the electric chair for raping a white woman in Leesburg, Va. While waiting for death, he obtained several stays until his case was finally heard by the Supreme Court of Virginia. Evidence in the case was found insufficient to warrant the original charge.

Washington Post
Washington, D. C.

2 Held for Jury In Attack Case

OCT 27 1943

Norfolk, Va., Oct. 26 (AP).—Two Negroes, Douglas Brooks and Edward Carter, charged with participation in the rape and robbery of an 18-year-old white girl and the robbery of Lieut. E. G. Dodd, USN, here last Tuesday night, were ordered held for the grand jury by Police Justice Clyde H. Jacob in Police Court today.

Lieutenant Dodd told Justice Jacob that his recollection of what happened behind the schoolhouse was "somewhat hazy as a result of the blows that were rained upon me." He said he remembered being separated from the girl and thrown into a shed.

"I was hit several times," he said. "When I came to I had lost my watch and my wallet. My cap was found later."

Doomed Va. Man Freed; Says He Will Never Return Home

Afro-American
Baltimore, Md.

DEC 5 1943

RICHMOND—Samuel Legions, 23, who walked from the Virginia penitentiary on Thursday without looking back, said this week that he never expects to return to his home in Berryville, Va., or set foot again in Leesburg or any other place in Loudon County.

Legions was released after serving fourteen months and three days in the death house after being convicted of rape of a young white woman in Leesburg in 1941.

Frame-up Suspected

He is free because Charles H. Houston of Washington and Oliver W. Hill of Richmond, both NAACP attorneys, fought to save Legions from death in what appeared to be a frame-up.

Evidence in the case was to the effect that Legions went to the home of Ralph (Red) Miller and his wife, Mrs. Viola Miller, in Leesburg and forced his way into their home while the couple were in bed with their young baby.

They testified that he forced the man from the bed, and later drove him from the room after Miller struck Legions.

Before the State Supreme Court ruled in the case, Dr. Houston was so struck by the difficulty in freeing a man charged with rape of a white woman in the South that he and the then Congressman Arthur W. Mitchell asked Governor Darden to commute the man's sentence to life imprisonment.

Court Doubted Story

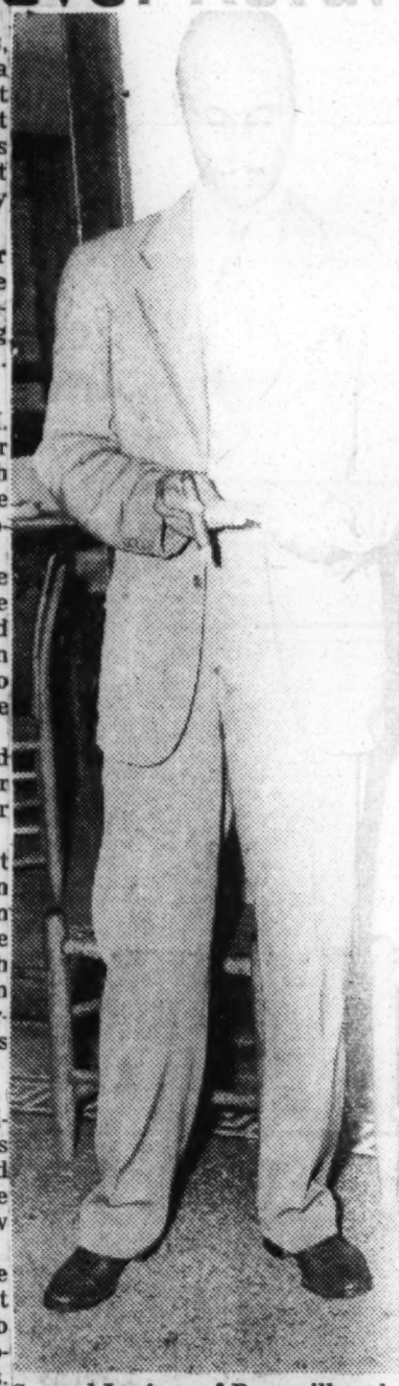
When the court gave its decision, it held that Miller and his wife made no alarm, and showed such slight resistance that the court could not accept the view that Legions committed rape.

The court remanded the case to the Loudon Circuit Court, but the State's attorney decided to nolle prosse because of the sweeping decision of the appeals judges.

DEC 5 1943

Legions expects to enter the army, and if he is not accepted, he will go to Pittsburgh to work.

During his stay in the death house, Legions saw a number of persons go to the chair. Among them was Odell Waller, young Pittsylvania sharecropper who slew his landlord in a crop division dispute and became a symbol of the struggles of sharecroppers and other underprivileged groups.



Samuel Legions of Berryville, who is shown reading release in Virginia penitentiary on Thursday after spending fourteen months in death house after being convicted of rape of a white woman in Leesburg, Va. Oliver W. Hill of Richmond, his NAACP attorney, is holding release. Virginia Supreme Court, upon hearing appeal, ruled that evidence was too flimsy and ordered new trial. Loudon County State's attorney nolle prossed indictment because his case was short "all of holes." Legions expects to enter army soon. His attorney, since this week

DEC 8 1943

Half of Rape Cases Reported Are Bunk, Police Probes Show

Lying, Jitters Blamed for Tales; One Suspect Freed, One Held

RICHMOND — Police Chief E. H. Organ expressed the hope on Tuesday that his department could operate normally again after being plagued by false or unfounded reports that rapists were running riot over the city.

Chief Organ and Mayor Gordon B. Ambler said that many white residents were suffering from bad cases of nerves, and that in some instances, and complainants had made false reports without a shred of evidence to support them.

The widespread reports of rape and attempted rape began two weeks ago, when two or three white women were assaulted.

One Man Involved

Apparently the attacks were made by one man.

These have been followed by a number of other reports of attacks, only one of which has a standing with police.

Raleigh R. Dozier, 27, was arrested on charges of suspicion of rape and burglary.

Evidence Insufficient

A white woman who complained of being attacked by a burglar identified him as her attacker but Capt. O. D. Garton, chief of detectives, and Major Organ were not willing to submit the serious charges to the courts without more evidence.

A second woman who contended that she was attacked was brought to a lineup in which Dozier stood with a number of others, and she failed to pick him out.

Changes Identification

Moses Davis, 17, of State Street was arrested on December 3, and placed in a similar lineup, and the first victim picked him as the attacker.

Davis is larger for his age, and appears older than 17. He also has some resemblance to Dozier.

The woman said that she was certain that he and not Dozier was the man.

Police said that the other woman has identified him, and a third, now in Washington, will be asked to see him.

They stated also that Davis' fingerprints matched some found at the scene of an attack, but he has denied that he committed any crime.

Held in Four Counts

The youth who had been questioned by police was held in four counts.

DEC 8 1943

Ex-Soldier Sought

The alleged attacker was believed to be a soldier who had been discharged dishonorably and city and military policemen made a search for him on Second Street and other sections of Jackson Ward on Monday night.

It was reported that a suspect fleeing from the officers managed to escape although shots were fired.

DEC 8 1943

Innocent Sailor Cleared

One sailor on furlough at home was reported to have attacked two small girls in Fulton, but when police rushed to the scene, they found that the sailor merely had crossed a field on which the girls were playing in order to take a short cut to his home.

Woman Was Drunk

One woman on Saturday night said that she was attacked, but police investigation showed that she came home drunk and had taken

DEC 8 1943

reported being examination, but she also be suffering from

Chief Organ said that police rushed to Petersburg, Pike with railroad, county and other officers on Monday evening to check a report that a man had a child in the woods and was beating its head against a tree.

Boy Used Imagination

A boy first circulated the story, but it was found that he merely saw an old white man with a

Officers worked on the case for hours in the rain, using a bloodhound to attempt to track the fleeing

DEC

37L-1943
The Northwest
Enterprise
Seattle, Washington

Washington

7100

Negro Attacker Faces 2 Charges

JAN 20 1943

James McLembre, twenty-six year-old Negro auto washer, who is said by police to have confessed criminally attacking Mrs. Gennon Litky of 111 8th Ave. S. at 7th Ave. S. and Main St. early on the morning of January 8 as she was on her way to work, was charged in superior court yesterday with first dergee asault and with rape.

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Each count calls for at least five years in prison. Deputy Prosecutor John F. Evich, who filed the charges, said: At Providence Hospital yesterday it was stated that Mrs. Litky "is getting along as well as can be expeced." In the assault she was brutally beaten.